

By Mr. WILLIAMS: A bill (H. R. 12318) granting an increase of pension to Mary J. Pack; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of the Gustin-Bacon Manufacturing Co., the St. Louis Surfacor Co., and the Missouri Savings Bank Association, against the repeal or delay of the second-class postage rates provided in the war-revenue act; to the Committee on Ways and Means.

Also (by request), petition of the Woman's Christian Temperance Union of Oshkosh, Wis., urging war prohibition as a means of conserving foodstuffs; to the Committee on the Judiciary.

Also (by request), memorial of the Council of the Diocese of Virginia, Protestant Episcopal Church, pledging every support in its power for winning the war; to the Committee on Military Affairs.

Also (by request), petition and letter of Evan O'Neill Kane, M. D., Kane, Pa., against furnishing all soldiers a tobacco ration; to the Committee on Military Affairs.

By Mr. CURRY of California. Petition of Forbes H. Brown, secretary Federal Employees' Union of Vallejo, Cal., against the Borland amendment increasing the hours of labor of Federal employees; to the Committee on Appropriations.

Also, petition of J. P. Millett, president of Mare Island machinists, protesting against the adoption of the so-called Taylor efficiency system and its application to Mare Island employees; to the Committee on Naval Affairs.

By Mr. FULLER of Illinois: Memorial of the Streator (Ill.) Post, No. 68, Grand Army of the Republic, favoring the Smoot pension bill; to the Committee on Invalid Pensions.

Also, petition of McNeil & Higgins Co., of Chicago, Ill., opposing repeal or postponement of the second-class postage rates of the war-revenue act; to the Committee on Ways and Means.

By Mr. GRAHAM of Illinois: Memorial of the United Presbyterian Church of Kirkwood, Ill., urging the adoption of a resolution to amend the Constitution to prevent polygamy and polygamous cohabitation; to the Committee on the Judiciary.

By Mr. HAMILTON of Michigan: Evidence to accompany House bill 4095, granting a pension to Wesley H. Crockett; to the Committee on Pensions.

By Mr. KINKAID: Petition of citizens of Merna, Nebr., urging war prohibition; to the Committee on the Judiciary.

By Mr. McFADDEN: Petition signed by 30 residents of Montrose and Meshoppen, Pa., urging repeal of the zone system of postage for newspapers and magazines; to the Committee on Ways and Means.

By Mr. RAKER: Petition of S. E. Hummel, of California, protesting against the zone system and asking for its repeal; to the Committee on Ways and Means.

Also, resolution adopted by the California Automobile Association, asking that stock be allowed to graze in the national forests; to the Committee on the Public Lands.

By Mr. TAGUE: Petition of president American Federation of Labor, regarding increased postal rates for publishers effective July 1, 1918; to the Committee on Ways and Means.

Also, petition of Charlestown Metal Trades Council, Boston, Mass., on House bill 10854; to the Committee on Naval Affairs.

Also, petition of the Pattern Makers' Association of Boston, on House bill 10854; to the Committee on Naval Affairs.

Also, petition of machinists of Charlestown Navy Yard, Boston, Mass., on House bill 10854; to the Committee on Naval Affairs.

Also, petition of Machinists of Boston Lodge 264, International Association of Machinists, on House bill 10854; to the Committee on Naval Affairs.

Also, petition of Bunker Hill Lodge 634, International Association of Machinists, of Boston, on House bill 10854; to the Committee on Naval Affairs.

Also, petition of International Association of Machinists, against the Taylor system; to the Committee on Labor.

By Mr. TOWNER: Petition of William M. Story, Charles W. McClelland, and others, for a constitutional amendment prohibiting polygamy; to the Committee on the Judiciary.

By Mr. VARE: Memorial of Federal Lodge, No. 687, International Association of Machinists, Philadelphia Navy Yard, protesting against premium or bonus system being placed in the provisions of the naval appropriation bill; to the Committee on Naval Affairs.

Also, resolutions of the Common Councils of the city of Philadelphia, advocating legislation to prohibit the use of German in public gatherings; to the Committee on the Judiciary.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, May 29, 1918.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Eternal God, Heavenly Father, our salvation and our strength, a very present help in trouble, we thank Thee that in pursuance to a concurrent resolution passed by the Congress the President of the United States, the Commander in Chief of the Army and Navy, has set apart a day of prayer and fasting for the success of our arms and those of our allies in the great struggle for liberty, truth, justice, righteousness; and we pray that from every heart, in every home, in every State throughout the Union, a fervent prayer may ascend to the Throne of Heaven in behalf of a just and righteous cause, that peace may smile upon the world, its pursuits, make it blossom as the rose, joy and happiness reign in every home, and war be forever banished; and we will praise Thee forever in the name of the world's Great Redeemer. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed with amendments bill of the following title, in which the concurrence of the House of Representatives was requested:

H. R. 12280. An act making appropriations to supply additional urgent deficiencies in appropriations for the fiscal year ending June 30, 1918, on account of war expenses, and for other purposes.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to the bill (S. 3790) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

The message also announced that the Senate had passed without amendment the following House concurrent resolution:

House concurrent resolution 43.

Resolved by the House of Representatives (the Senate concurring), That there shall be printed as a House document 1,500 copies of the Journal of the Fifty-second National Encampment of the Grand Army of the Republic for the year 1918, not to exceed \$1,700 in cost, with illustrations, 1,000 copies of which shall be for the use of the House and 500 for the use of the Senate.

EXTENSION OF REMARKS.

Mr. LONERGAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of the transportation of men and women in the military service of the United States.

The SPEAKER. The gentleman from Connecticut asks unanimous consent to extend his remarks in the RECORD on the subject of the transportation of men and women in the Army. Is there objection? [After a pause.] The Chair hears none.

ARMY APPROPRIATION BILL.

Mr. DENT. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12281.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12281, the Army appropriation bill, with Mr. GARRETT of Tennessee in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill the title of which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 12281) making appropriations for the support of the Army for the fiscal year ending June 30, 1919.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

And also, for the establishment, equipment, maintenance, and operation of aviation stations, fields for testing and experimental work, including (a) the acquisition of land, or any interest in land, with any buildings and improvements thereon, by purchase, lease, donation, condemnation, or otherwise: *Provided*, That by order of the President any unappropriated or reserved public lands may be reserved from entry, designated, and used for such aviation stations or fields for testing and experimental work; (b) the improvement of such land by clearing, draining, seeding, and otherwise making the same suitable for the purpose intended; (c) procuring and introducing water, electric light and power, telephones, telegraph, and sewerage to aviation stations, testing or experimental fields, and buildings and structures thereon by the extension of existing systems or the creation of new systems and their maintenance, operation, and repair, installation of plumbing, electric fixtures, and telephones, fire apparatus and fire-alarm systems, and the maintenance, operation, and repair of all such systems, fixtures, and apparatus; (d) purchase of stoves and other cooking and heating ap-

paratus, kitchen and tableware, and furniture and equipment for kitchens, mess halls, offices, quarters, barracks, hospitals, and other buildings, screens, lockers, refrigerators, and all other necessary equipment; (e) purchase of special lubricating oil, fuel, and all supplies of every kind and character necessary or advisable for maintenance and operation of aviation stations, and airplanes and motor vehicles, including electric light and power, telephones, water supply, and sewerage service; (f) purchase and manufacture and installation of all kinds of machinery, tools, material, supplies, and equipment for construction, maintenance, and repair of aircraft, buildings, and improvements at aviation stations and testing and experimental stations, or property or appliances used in connection with aviation.

OUR MEMORIAL DAY.

Mr. WALSH. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, on the morrow, in accordance with long-established custom, the Nation will pause to pay homage to its honored dead and to place silent yet eloquent tributes upon the graves of those heroes who in the dark days of sixty-one went forth to battle for the preservation of the Union.

But, sir, the day at this time has a peculiar significance. Our President has by proclamation designated this hallowed occasion as a day of fasting and prayer and so in venerating the memory of its fallen soldiers we may also be mindful of the soldier boys of to-day, and unite in breathing a prayer of thanksgiving for the achievements of the soldiers of other days and of supplication for those of to-day.

As the President has so nobly expressed it in the words of his proclamation:

And whereas it has always been the reverent habit of the people of the United States to turn in humble appeal to Almighty God for His guidance in the affairs of this common life:

Now, therefore, I, Woodrow Wilson, President of the United States of America, do hereby proclaim Thursday, the 30th day of May, a day always freighted with sacred and stimulating memories, a day of public humiliation, prayer and fasting, and do exhort my fellow citizens of all faiths and creeds to assemble on that day in their several places of worship and there, as well as in their homes, to pray Almighty God that He may forgive our sins and shortcomings as a people and purify our hearts to see and love the truth, to accept and defend all things that are just and right, and to purpose only those righteous acts and judgments which are in conformity with His will, beseeching Him that He will give victory to our armies as they fight for freedom, wisdom to those who take counsel on our behalf in these days of dark struggle and perplexity, and steadfastness to our people to make sacrifice to the utmost in support of what is just and true, bringing us at last the peace in which men's hearts can be at rest because it is founded upon mercy, justice, and good will.

We are reminded of those early days of 1775 and 1776, culminating in that immortal document the Declaration of Independence, and as the fathers were then imbued with the spirit of liberty so we to-day are inspired not only to vindicate our rights as a free people to protect our flag and our citizens but we go forth to battle for humanity and civilization and to preserve those principles without which the world must lapse into darkness and barbarism. [Applause.]

The United States of America has long been hailed as the "land of opportunity" for every well-meaning individual and as a haven for the oppressed. But in these days the Republic meets with its opportunity and with the spirit of the early days hovering over us, with the inspiration of the sacrifices of the heroes of the Civil War, sacrifices by the men in the blue and the men in gray, for both were prompted by their convictions of the righteousness of their cause, we go forth to avail ourselves of the Nation's great opportunity.

Ah, my colleagues fortunate we are that we have as Chief Executive and the Commander in Chief of the Army and Navy, one who can so magnificently express the aspirations of America, the ideals of the Republic, and the hopes of the liberty-loving people throughout the earth. He may truly be called "the spokesman of liberty." However much men may differ on economic policies or on questions dividing the two great political parties in our country to-day, how patriotically these partisan matters have been put aside.

Our purpose, our desires, and our understanding in this terrible crisis have been set forth by our President, clearly and unselfishly, and we as a united people rally about our banner, now the model of a world emblem, with confidence and courage and with pure vision.

We know that gloom and depression may await us from time to time as we proceed along war's highway, but we know also that the pages of history show no permanent setback or pause in the march of progress and civilization.

For our boys now facing the enemy and for those on the sea, and for those in preparation, and those to be called let our fervent prayers go to the Almighty, for their preservation, success, and guidance and for our own confidence and steadfastness, and that the victory which awaits us may not be long delayed.

Let us as a people unite in thought, word, and action.

Let us recall the sentiments of the signers of the Declaration of Independence and apply them to our present situation and to our declaration of war, passed by the Congress in the early days

of April, 1917; and for the support of that declaration, with a firm reliance on the protection of Divine Providence we pledge our lives, our fortunes, and our sacred honor. [Applause.]

The Clerk read as follows:

And also, for creating, maintaining, and operating at technical schools and colleges courses of instruction for aviation students, including cost of instruction, equipment, and supplies necessary for instruction, and subsistence of students while receiving such instruction, \$884,304,758.

Mr. CANNON. Mr. Chairman, I move to strike out the last word. We are about half way through the aviation language as near as I can tell by hastily turning over the pages of the bill. This appropriates now or reappropriates or makes available all unexpended balances, as I gather from a hasty glance, heretofore appropriated for aviation, adding to it also \$884,000,000 plus. I can not with a hasty reading conceive of anything that is not covered in the way of authority for preparation of this service, including creation of schools, colleges, instruction anywhere and everywhere without limit. I am not criticizing that, perhaps it is necessary. Of course, we have got to have faith in making these appropriations, as well as other appropriations, in the administration in the expenditure of the money. If it is not a wise expenditure we are in a bad way, because you can not conceive of anything in connection with this service that can not be done, and perhaps ought to be that way; but I would like to know how much there is now unexpended, how much contracted for that has not been paid, and is being appropriated for either in this bill or by the deficiency bill.

Mr. DENT. Mr. Chairman, there are so many figures involved in this bill that my memory may not be exactly accurate. I put in the Record on yesterday the amount that had been actually spent up to the 30th of April, and the balance that had been contracted for, and my recollection is that the amount expended was about \$316,000,000, and the amount contracted for was about \$433,000,000, in round numbers.

Mr. CANNON. That makes—

Mr. DENT. Makes about \$749,000,000.

Mr. CANNON. Seven hundred and forty-nine millions, and there is yet available for expenditure, how much?

Mr. DENT. Four hundred and thirty-three million.

Mr. CANNON. Yet available?

Mr. DENT. That has all been contracted for.

Mr. CANNON. I do not ask the gentleman to be exactly accurate, but there has already been paid out of the Treasury—

Mr. DENT. More than \$300,000,000 of the appropriations made last year.

Mr. CANNON. More than \$300,000,000.

Mr. DENT. Three hundred and sixteen million dollars.

Mr. CANNON. And there have been contracted for \$400,000,000?

Mr. DENT. More; \$433,000,000.

Mr. CANNON. And there is available by authority of legislation and appropriation and authority to contract, how much?

Mr. DENT. All that is contracted for.

Mr. CANNON. Is the whole of it obligated?

Mr. DENT. The balance that has been unexpended.

Mr. CANNON. And only about \$316,000,000 actually paid out?

Mr. DENT. Yes, sir.

Mr. CANNON. And then we add thereto \$884,000,000, \$304,000,000 being additional appropriations?

Mr. DENT. That is in order to carry out the air program for next year, the total program.

Mr. CANNON. This is available in foreign countries and available in the United States and covers everything, being enough and general enough to cover any possible expenditure that might be made for this service?

Mr. DENT. Undoubtedly.

Mr. CANNON. Including education and that kind of thing?

Mr. DENT. Certainly.

Mr. CANNON. How many aviation stations are there now?

Mr. DENT. Twenty-seven.

Mr. CANNON. Twenty-seven, in round numbers. Is it contemplated, if the gentleman knows from the hearings, to expend any more money to erect additional aviation stations? In fact, there is power, of course, to erect 27 or even 100 more stations.

Mr. DENT. My recollection is not distinct upon that subject, so I would like to consult the record.

Mr. GARRETT of Texas. If the gentleman will permit me, Gen. March testified before the committee that it was not the intention to construct any more aviation camps, although we might possibly have to construct one or two more. They expected filling and refilling what they had as fast as possible.

Mr. DENT. And possibly they would construct two or three more, but that program has not been agreed upon.

Mr. CANNON. That being the case, did the committee consider the wisdom or possibility that there would be two or three

more constructed, to be added to the 27? Did they take into consideration the propriety of limiting the construction of additional plants, say, to 2, 3, 5, or 10?

Mr. DENT. The committee never considered putting any limitation on the War Department in that matter.

Mr. CANNON. Still, the committee is satisfied it will not be done.

Mr. DENT. All the committee knows is the statement of the gentleman from Texas [Mr. GARRETT], a member of the committee, as to what Gen. March said.

Mr. CANNON. Now, Gen. March did say that there would be from two to three?

Mr. DENT. Probably; but that program has not been agreed upon.

Mr. CANNON. Was he asked?

Mr. GARRETT of Texas. I will say to the gentleman that he expressed himself more on the point that there would not be any, but if men were called out more rapidly than now anticipated there might be two or three more.

Mr. CANNON. Well, in peace we would not think of doing anything more than to appropriate for the present, and the two or three or four more, as the case might be; but there is absolutely no limitation here.

Mr. DENT. No one made any suggestion to the committee that there ought to be any limitation put upon the War Department in this matter in time of war.

Mr. GREENE of Vermont. If I may be permitted to suggest, I think we will find that there is a natural and automatic limitation because of the scarcity of men who are competent to teach fliers. There are not enough men now for what aviation camps we have in service, and there are not likely to be any for some time to come in excess of the number now sufficient for the camps we have established.

Mr. CANNON. I notice, however, that we can get those who are not American citizens. We can get them from our allies, and pay them.

The CHAIRMAN. The time of the gentleman has expired.

Mr. KAHN. Mr. Chairman, I ask that the gentleman from Illinois be given five minutes more.

Mr. CANNON. Well, I just want information. I thank the gentleman from California.

The CHAIRMAN. The gentleman from California asks unanimous consent that the gentleman from Illinois may have five minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. GREENE of Vermont. If I may be permitted to continue, those additional men we get occasionally from our allies are simply the few that can be spared from the front and who have perhaps made some distinguished record and are entitled to a change and rest and whose splendid accomplishments make them splendid teachers. But they are limited in number and, of course, could not take care of the great bulk of the men.

Mr. CANNON. It is the condition that limits?

Mr. GREENE of Vermont. Yes, sir.

Mr. CANNON. Was he asked if it was contemplated to take men and educate them from the ground up? He has power to send them to college.

Mr. KAHN. Will the gentleman yield?

Mr. CANNON. Certainly.

Mr. KAHN. The provisions contained in the bill permit him to send them to college for special training for aviation purposes. The Aviation Section has organized some schools where they teach men to be mechanics, so that they can become proficient in the art of producing planes and repairing planes. The matter of fact is that the Aviation Section now has on its rolls more applicants for training as fliers than they can accommodate. It will take many months, I am told, before all those who are now on the rolls awaiting an opportunity to be trained can be sent to the various schools for training. Their school facilities are all taken at the present time. Of course it takes some months to train them in the ground school; it takes some months to train them in flying. I think in flying it takes all of six months, and probably longer. In the ground schools they generally take three months. But those schools are kept going and are turning out men for the service just as rapidly as they can be turned out.

Mr. CANNON. I did not intend to offer any amendment to this bill, but I wanted to be informed. If it had been possible in the judgment of the committee reporting this bill to have made ample provisions and put some limitation in, whatever it might be, it seems to me that possibly it might have been wise. I am not one of those who seek to make trouble by word or interview in any way as to Army expenditures. But suppose there

is somebody that has unlimited authority who is so inclined, might that criticism have been avoided by placing an ample limitation instead of giving unbounded authority, as the department would have, to take 10,000 or 50,000 or 100,000? I am not intimating that they would.

Mr. GREENE of Vermont. If I may say so, of course there would be no purpose in establishing a school in addition to those already in existence if there were no persons to teach in that school, and they are hard up for teachers now in the schools that they have. It is a peculiar art and one that requires such a time in which to acquire proficiency and competency that it is evident it will be at least several months before they will be even threatened with a surplus of competent teachers.

Mr. CANNON. In the present condition as to aeroplanes and engines there is much of criticism, and I do not know whether it is well founded or not. I hope and trust and believe that it is not well founded. However, it may be well founded to some extent. The query is: If there had been greater care in placing limitations, if that had been possible, in the appropriation of the great lump sum, might we not have avoided, perhaps, much of useless criticism?

Mr. GREENE of Vermont. The trouble is that in aviation it is literally true that the sky is the limit. Nobody knows exactly how much you can or must provide for.

Mr. CANNON. That is all. I beg the gentleman's pardon for not having read his remarks in the RECORD, but we are all so busy, you know, and the print is so fine, that gentlemen have to be more industrious than I am to get outside of everything that is going on.

Mr. ANTHONY. Mr. Chairman, I would like to say to the gentleman from Illinois that the trouble with last year's appropriation was not the fact that there were no limitations on the expenditure of the money, but the trouble was due to the lack of business judgment and common sense on the part of the men in whose charge those great appropriations were placed. The mistakes were that they did not proceed at once with the manufacture of approved types of foreign engines and foreign planes, but instead wasted five or six months of valuable time in trying to develop an engine of their own.

That, in my opinion, is the one and only reason why we have not secured the adequate supply of combat planes that we were promised by the War Department when they asked for the big program of last year, and, in my opinion, it is explained in no other way. But this House and the committee have got to place some degree of reliance in the hope that those responsible will avoid the errors of last year, and from the fact that they have recently really made some progress, as I believe they have, gives me confidence that from now on we will get dollar for dollar in airplanes out of the immense sum we are again appropriating for this year.

Mr. GORDON. Mr. Chairman, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. GORDON. Is it not a fact that time was necessary to build these factories and to create this organization and prepare these men and officers to train the fliers? Was not that one cause of the delay?

Mr. ANTHONY. Yes; but the vital mistake the department made was that it did not take advantage of existing manufacturing facilities to secure immediate production. For example, a contract was placed with the Curtiss Co. for Spad machines, an approved type of French pursuit machine. That factory was making good progress toward the manufacture of those machines and the fulfillment of the contract when the order was countermanded and they were put to work at something else. Mr. Potter told us the other day that he would have been glad if the Curtiss Co. had been permitted to carry out the original contract, because we would then have had these Spad machines by now in actual use on the American fighting lines in France, where they are so badly needed.

Mr. GORDON. Was that not one of the contracts countermanded by command of Gen. Pershing, who ordered them to stop?

Mr. ANTHONY. I do not care who made the order. It was a fatal blunder. There is no reason why the department should have given or approved such an order on somebody else's say so.

Mr. GORDON. I understand they gave it on Gen. Pershing's order.

Mr. LITTLE. Mr. Chairman, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. LITTLE. At what point have they arrived in the preparation now?

Mr. ANTHONY. It is my understanding that they have developed a large number of plants, and that from now on production will come through in fairly good shape. Blunders have

been made in the past through the lack of the exercise of common business sense, as I stated.

Mr. LITTLE. How soon will they begin to turn out the planes?

Mr. ANTHONY. I believe the production of Liberty engines is beginning to show results, and the production of planes is beginning to make itself felt.

Mr. LITTLE. I mean finished machines.

Mr. ANTHONY. We are getting some finished machines. Of course, you have got to get the engines first. We can not give the definite figures as yet, but we have to rely on the statements of the aircraft people.

Mr. LITTLE. That is the trouble. We can not get any definite figures.

Mr. GARRETT of Texas. Mr. Chairman, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. GARRETT of Texas. In the remarks of the gentleman from Nebraska [Mr. SHALLENBERGER] on yesterday he gave the latest figures of production that the gentleman is calling for.

Mr. ANTHONY. There is one thing that the members of the Committee on Military Affairs should not want to do. We do not want to gloss over the blunders of last year. I do not think this House should put itself in the position of apologizing for blunders that have been made and our almost complete fall down in the actual production of fighting aircraft. The War Department promised us 22,000 planes on the battle front in July for the \$640,000,000 that we appropriated. Congress did its part; we gave them the money. Instead of the 22,000 promised, we will have inside of 500 battle planes on the fields of France by July 1.

Mr. CANNON. Mr. Chairman, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. CANNON. It is much easier, in connection with anything that has been attempted, to criticize, looking through the hindsight, than it is to construct without mistake in the future. Now, I am not criticizing, because if there be mistakes I am not familiar enough with the subject to know whether or not they might have been avoided. I am not criticizing until I have further knowledge, and the only object that I had in asking the question that I asked was to ascertain whether the committee has investigated and thought that there might be limitations placed upon the language.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. ANTHONY. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. ANTHONY. The gentleman from Illinois suggested that limitations be placed on this appropriation. What limitations would the gentleman suggest?

Mr. CANNON. I know that you have spent the time since last December on this bill, while I have been busy since last December upon other bills that took up all my time as a member of the Committee on Appropriations. I am not suggesting limitations at all, because I know that sometimes "fools rush in where angels fear to tread." I am merely asking the question whether it was considered that this general authorization that covers, touching this branch of the service, all things, might not have been limited. I do not say that it ought to have been, but the question arose in my mind. I have eased my mind and will sit down.

Mr. ANTHONY. Let me say to the gentleman from Illinois that it is the impression of the committee that the aircraft work is now in competent hands. As one member of the committee, I was greatly impressed by Mr. Potter, the civilian who has been placed in charge of the aircraft production. He strikes me as a high-grade type of American business man, who is going to bring some order out of that chaos, and is going to give us airplanes. I do not believe there has been any criminal graft in the dispersion of that \$640,000,000 that we gave them last year. I hope that the President has not limited the scope of the Hughes inquiry to violations of law alone. I hope this investigation will be broad enough to fix complete responsibility for the failure of our aircraft program. I think Mr. Justice Hughes will be sent on a wild-goose chase if he expects to find criminal graft in the work of American Army officers. They are not men, as a rule, who do that kind of business. Their business methods will be found clean. For many years no scandal has attached to the administration of the business side of the Regular Army. There may have been and were mistakes of judgment, but I do not believe graft will be found in the military administration part of the program. I believe that we can

safely intrust the expenditure of this \$884,000,000 to the men now in charge, and I believe we will get results from now on.

Mr. ALEXANDER. Mr. Chairman, will the gentleman yield?

Mr. ANTHONY. Yes; I yield.

Mr. ALEXANDER. The gentleman emphasizes the lack of efficiency in the past. Nearly every day we read in the newspapers of the loss of life at these flying schools. Is that a result of defects of the machines?

Mr. ANTHONY. We are informed that it is not due to defective machines, but that it is due to defective judgment of the men themselves. I have also been told by French officers that the loss of life which we sustain in our training activities is no greater than that which is sustained by the French in their training, and that when a man loses his life it is generally due to his own error.

Mr. ALEXANDER. Is there any way of correcting that by more efficient supervision?

Mr. ANTHONY. I think not. I think it comes largely from overconfidence of the man himself.

Mr. GORDON. If the gentleman will yield, Gen. Squier said before our committee that every precaution had been taken to safeguard the lives of these men, and that the loss of life in this country, in proportion to the number engaged, was less than in any other country in the world.

Mr. ALEXANDER. Oftentimes it occurs that the machine collapsed, which shows that there must have been some defect in the construction of the machine. Are these machines which are furnished to these student aviators of a type that will reasonably insure safety in these experiments?

Mr. ANTHONY. I will say to the gentleman from Missouri that perhaps one trouble is that we have had too large a variety of training planes. The department was compelled to order them from every available source, and instead of having a few models that they could absolutely rely upon and understand, we probably had a dozen or twenty models of training planes. There is perhaps some error there.

Mr. ALEXANDER. The subject is engaging the attention of the department, and they are trying to diminish the loss of life, are they?

Mr. ANTHONY. Unquestionably they are trying to extend every safeguard.

Mr. CRAGO. It was testified before our committee that the percentage of accidents to the number of men engaged in training was less than among the men who are driving automobiles in the country; that more men, in proportion to the number engaged, are killed by automobile accidents than by aeroplane accidents.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LONGWORTH. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman or some member of the committee a question. What bureau or individual will have actual authority over the expenditure of the \$840,000,000?

Mr. DENT. The Aviation Section of the Signal Corps, recently reorganized by the President.

Mr. LONGWORTH. Does the gentleman refer to the reorganization made under the Overman law?

Mr. ANTHONY. Is it not a fact that the reorganization was made two weeks before the Overman law was passed?

Mr. LONGWORTH. I want to know whether the reorganization has been confirmed under the authority given in the Overman law.

Mr. KAHN. Mr. Chairman, I believe that the reorganization of the Aircraft Board took place several months ago, but that Mr. Potter took charge some time in February or April.

Mr. GORDON. In February.

Mr. LONGWORTH. That was after the breakdown?

Mr. KAHN. Yes; and there has been no reorganization since Mr. Potter took charge. I should say perhaps Mr. Ryan, for of course he is at the head of the department, although Mr. Potter is doing the work.

Mr. DENT. I understand the reorganization is to be continued, it may have been announced, but it is to be continued as now constituted.

Mr. LONGWORTH. The \$840,000,000 is mostly for the production of aircraft. Who has the actual authority over the expenditures of that money; is it Mr. Ryan?

Mr. KAHN. Yes; Mr. Ryan and Mr. Potter.

Mr. LONGWORTH. This appropriation comes in the provision with regard to the office of the Chief Signal Officer. As a matter of fact, will the Chief Signal Officer or any member of the military branch of the Government have the authority to spend this money?

Mr. DENT. I do not know that I can answer the question definitely. It is my understanding that they have separated

the officers of the Regular Establishment of the Signal Corps from the aviation.

Mr. ANTHONY. Will it not be safe to say that it will be apportioned by the Chief Signal Officer but not spent until they get the authority from the Secretary of War?

Mr. LONGWORTH. Now, the gentleman says the Secretary of War.

Mr. ANTHONY. It is my opinion that the Secretary of War passes finally on every great expenditure.

Mr. LONGWORTH. It seems to me that a direct answer ought to be given as to who spends this money.

Mr. KAHN. If the gentleman will refer back to page 8, line 8, he will find that \$105,946,054.17 are appropriated for the Signal Corps. This appropriation is for aviation.

Mr. LONGWORTH. Precisely; and that is the appropriation I refer to and the question I am asking. The chairman of the committee says the Chief Signal Officer has control, the gentleman from Kansas says the Secretary of War, and the gentleman from California says Mr. Ryan. Which is right?

Mr. DENT. The gentleman did not understand me to say that the chief signal officer had control of expenditures.

Mr. LONGWORTH. The gentleman said the most of it would be expended under the chief signal officer.

Mr. DENT. I said it would be expended under the men who had charge of the aviation section.

Mr. LONGWORTH. Is that right?

Mr. DENT. Gen. Kenly is at the head of one branch; Mr. Ryan at the head of the other.

Mr. LONGWORTH. Have they concurrent jurisdiction?

Mr. DENT. No; one has jurisdiction of the personnel and one of the production.

Mr. LONGWORTH. The gentleman said that this was almost entirely for production.

Mr. ANTHONY. Mr. Potter is chief of the aircraft production and, in my opinion, would have charge of the money for the aircraft production. I believe that on all of these expenditures the Secretary of War finally passes.

Mr. LONGWORTH. But the gentleman says that Mr. Ryan has not control, is not the actual head of the new organization; that he has not the disposition of the funds.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. LONGWORTH. I ask for five minutes more; I think we ought to know something about this. I am seeking for information, and I think the House and the country ought to have it.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. LONGWORTH. No two members of the Military Affairs Committee agree.

Mr. DENT. I do not see any great difference between us.

Mr. LONGWORTH. The gentleman from Kansas says that Mr. Ryan thinks he has the authority, but he does not; that it is the Secretary of War.

Mr. DENT. He thinks finally that it goes to the Secretary of War, and of course it does, because they are all under the Secretary of War.

Mr. ANTHONY. Mr. Potter is the real man, although Mr. Ryan is nominally the head.

Mr. LONGWORTH. The excuse given for the breakdown of the aircraft program has been that there was no definite authority at the head of it; that there was red tape; that men would make contracts and then revoke them. That is what the gentleman from Kansas said. I want to know whether under the new reorganization that has taken place that red tape is to be avoided and that there will be a responsible head who can go ahead and make contracts and have the contracts carried out and expend the money. Is that true or is it not under the new organization?

Mr. TILSON. Mr. Chairman, I do not know that an additional member of the Committee on Military Affairs can give any additional information.

Mr. LONGWORTH. We would like an additional authority.

Mr. TILSON. I will give the gentleman such information as I have. Woodrow Wilson is not only President of the United States, but is Commander in Chief of the Army and the Navy. Mr. Baker is the Secretary of War and, under the President, has complete control over military matters, including these appropriations. The Aircraft Production Board is an arm of the Secretary of War in carrying out the orders of the Commander in Chief, the President.

Mr. LONGWORTH. Not under the Overman Act.

Mr. GORDON. Oh, yes; exactly that—under the Overman Act. That is just what that act is.

Mr. LONGWORTH. At any rate, that is not done under the Overman Act.

Mr. TILSON. It has not been done as yet. I wish to go further and say that it will depend upon the Secretary of War as to which one of these officials really has the final say, because, after all, the Secretary of War has that authority under the Commander in Chief. Therefore, if the Secretary of War shall direct that Mr. Ryan as head of the Production Board shall control it, then Mr. Ryan will control it. If the Secretary of War says that Mr. Potter shall control it, he will control it.

Mr. LONGWORTH. Has the Secretary of War not yet spoken? Has he not made any order of that sort?

Mr. TILSON. I have not seen any order of that kind.

Mr. LONGWORTH. Then, so far as the gentleman understands it now, Mr. Ryan is not in control and has not authority over expenditures or the making of contracts.

Mr. TILSON. I have this information: That Mr. Ryan has been placed, by the direction of the Secretary of War or by the President, in control of the production of airplanes.

Mr. JOHNSON of Washington. Mr. Chairman, will the gentleman yield?

Mr. LONGWORTH. The President has designated him, but, as the gentleman says, the Secretary of War has power to say whether he shall have power or not, and he has made no such declaration.

Mr. TILSON. The Secretary has the power under the President, as I have stated. I yield to the gentleman from Washington.

Mr. JOHNSON of Washington. It is quite possible that the carrying out of these contracts will run further than the Secretary of War. I am told that Mr. Ryan is going west in a short time to investigate some said-to-be necessary railroad building into the Federal domain—the forest reserves—involving in one case the expenditure of nearly \$3,000,000, and the final authority for the appropriation of that \$3,000,000 may come from the Secretary of the Treasury, in his capacity as Director General of the Railroads, upon the recommendation of Mr. Ryan. To secure still more spruce than the Government is getting it is thought to be necessary to build railroads into the forest reserves. Otherwise a great supply of spruce for airplanes next year can not be guaranteed. I mention this to show how, of necessity, the authority divides.

Mr. TILSON. I do not know as to that or whether it includes any appropriation in this bill. If so I do not know about it. So far as the appropriations in this bill are concerned, they are under the direction of the Secretary of War ultimately—that is, subject to the orders of the Commander in Chief.

Mr. LONGWORTH. I have had a very large amount of variegated information upon this subject, but as I gather from what I now know the authority to expend this \$844,000,000 is in the hands of a certain number of persons unknown.

Mr. SNYDER. Possibly the same ones that had it before.

Mr. LONGWORTH. Then where have we gotten?

Mr. GILLET. Mr. Chairman, I wish to say a word in response to what was said by the gentleman from Kentucky [Mr. FIELDS]. I agree substantially with most of what he said; I agree heartily with his suggestion that we ought not to exaggerate or become hysterical in the criticisms of what is done by the departments. I do not believe that an investigation of this Aircraft Board is going to reveal graft. I do not think the officers in charge, either of the Regular Army or those drawn from civil life, have been grafters. But that serious mistakes have been made we all know. I wish to say a word about them from a little different angle than the gentleman from Kentucky [Mr. FIELDS].

What seems to me a subject for criticism is that after we had vested in the administration these enormous sums, soon after the outbreak of the war, for the first six or seven or eight months in which they were being expended, there was an attitude on the part of those who were spending them that everything was going smoothly and perfectly, and that all criticism was wrong; that no one should venture to make any suggestions; that there was nothing that needed investigation. That, it seems to me, was the attitude in all of the departments of the war, or of those who had control of these enormous expenditures, until the investigation and disclosures by the Senate Military Committee, and then because the country had been given to understand that everything was going so perfectly a revulsion came, and the country was probably overcritical, because beforehand they had not been allowed to be critical at all. It seems to me that there was the mistake, and now we find there have been blunders in other branches. This comes forcibly to my mind because I remember that on the 1st of February I went home to Springfield to make an address. I then told my people that whereas there were obviously deficiency and mistakes and sad delays in most of the war preparations, there was one department I was assured was up to schedule and doing splendidly,

and it was the one bright spot in our military organization, and that was the aircraft production. I said that because only a few days before the Secretary of War and Gen. Squier had been before the Committee on Appropriations and had given us that assurance. I have since looked up the record of that hearing, and I find that what was said was not sent back to us and printed. I do not condemn the Secretary of War and Gen. Squier for stating that. I suppose one of two things was true—either they did not know the conditions of the aircraft production at that time, or else they saw good and sufficient reasons why it was not wise that the Committee on Appropriations should know, and I appreciate that sometimes it is not well for military reasons that department heads should take Congress into their confidence.

Now, I do not know which of those two was true; but I do know I felt rather mortified after I had made this very encouraging and I thought assured statement at home to find I was wholly mistaken and misled. And I think, as the gentleman from Kentucky says, it is not strange, it is inevitable, that mistakes should be made; but I suspect the trouble probably was that all the departments did not for several months appreciate the tremendous magnitude and intensity of the struggle, did not appreciate how valuable time was, and did not devote that intense energy and earnestness of purpose that the crisis demanded. And I think it was unfortunate that a policy was adopted of concealing from Congress and the country the conditions that existed, of discouraging and deprecating investigation, instead of recognizing that it was better that the truth should be known and mistakes admitted and remedied as they occurred. It was not until these revelations came from the Senate committee that the departments did wake up and appreciate and perhaps themselves for the first time find out that there were things in their jurisdiction that needed investigation and overhauling, and since then I am happy to believe that there has been quite a change of attitude. We know there has been an important change of personnel, and I am hopeful that during the last few months and at present our war preparations are going on not only on a larger scale but with greater speed, intensity, vigor, and perfection than they were before.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GARRETT of Texas. Mr. Chairman, replying to the last statement made by the gentleman from Ohio [Mr. LONGWORTH] that the amount of money called for in this appropriation is to be managed or controlled by some unknown person, I do not think that statement should go into the RECORD unchallenged. The gentleman from Connecticut [Mr. TILSON], a member of the committee, answered the gentleman completely when he said that this appropriation, as all other appropriations making provision for the Army, comes directly under the Secretary of War. Aside from the declaration of war and the act providing for the raising of the Army, fixing the age limit for the draft of soldiers, the number of men to be called into the service, and so forth, all other powers for the conduct of this war lodged with the President as Commander in Chief of the Army and Navy, assisted by the Secretary of War and the Secretary of the Navy, under rules and regulations to be prescribed by him. Is the objection of the gentleman to this appropriation that the person who is going to sign the draft or warrant is not named? If so, I ask him when did this House ever pass an appropriation bill of any kind where, when it made an appropriation, it specified the name of the person or individual that was to superintend or supervise the expenditure of the money?

Would the gentleman go out here in this 10-acre lot of new buildings, filled with hundreds of officers and clerks for the Quartermaster's Department, and when we reach that item in the bill would he have you specify the head of each of those departments to spend the money for fuel, forage, horses for the Artillery and Cavalry, and the thousand and one other different items, all of which come under separate items, all of which are controlled by rules and regulations prescribed by the War Department for their payment and for their settlement? If that is what the gentleman objects to, then I think his objection is wholly unfounded, and if he objects to the appropriation itself how much does he object to and how much would he want it to be?

Mr. LONGWORTH. If the gentleman will permit, I desire to say I am not objecting to the appropriation. I am simply asking for information, and I have received from various members of the committee different information. The chairman of the committee told me that this was to be expended by the Aviation Section. Another gentleman told me that it was to be expended by Mr. Ryan, another by Mr. Potter, and now the gentleman says it is to be expended by the President. I am in favor of the appropriation. I was in hopes that this new organization was one so that the members of the Military Committee at least

could tell me as to whether the red tape had been abolished, the power to contract put in the hands of one man or one bureau, and that they now ought to be relieved of the chaotic conditions that broke down the former aircraft production.

Mr. SHALLENBERGER. Mr. Chairman, I will give the gentleman, to the best of my ability, the information for which he is asking. It is in the hearing. On May 7, when the Secretary of War first appeared before us, a statement was made in reference to the reorganization, and in the first place it was stated—

So far as the production end of it is concerned we have Mr. John D. Ryan, who is at the head of that, and he will be prepared to give you the information you want in regard to that phase of the subject.

Mr. John D. Ryan is at the head of the production department. On page 90 of the hearings the chairman of the committee asked Mr. Potter—

What is your position?

He replied:

I am chief of the equipment division of the Signal Corps.

He makes no claim whatever that he is the head of the production department. He states specifically that he is chief of a particular division under the control of the chief of production, Mr. John D. Ryan, and he is responsible to the Secretary of War, and the Secretary of War is responsible to the President of the United States. There is no conflict of authority, but it is very clearly and definitely defined, as I have stated it to you.

Mr. LONGWORTH. Then the gentleman thinks Mr. Ryan would have power under this to make contracts himself and find the money to carry out those contracts?

Mr. SHALLENBERGER. He has authority to make contracts and authority, subject to the approval of the Secretary of War, to disburse this fund.

Mr. GARRETT of Texas. Just like under all the other departments, the Quartermaster's Department. They have civilians in various branches here occupying positions of this kind with reference to the Army.

Mr. GREENE of Vermont. If the gentleman will permit me, I think it is the policy with this appropriation, as it is with all others, that something like a tentative allotment is made in the council of the General Staff, that allotment being based on the existing state of the military situation and different necessities as they are called for and given from time to time with constantly augmented information. They tentatively set out sums of money to be expended for certain purposes. Of course, they probably do not exercise direct control over the expenditure in its detail afterwards.

Mr. HUSTED. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, the chairman of the committee admitted very frankly yesterday that there were more student aviators that had gone through the ground school than there were training planes for their use. Of course, that is a very unfortunate situation. That condition has existed, to my knowledge, for several months, and in order to relieve that condition the Signal Corps stopped all enlistments in the Aviation Section. I do not know whether they have opened up again or not, but they were stopped for a long time.

Mr. DENT. I understand they have not been opened up.

Mr. HUSTED. They have not been opened up. They were stopped in the early part of the winter. Of course, that is a bad situation, a very serious one, and it is one of the respects in which the partial failure of the Aircraft Production Board has injured the cause. But certainly the student aviators were not responsible for that condition and they should not suffer for it. Yet they have been made to suffer for it. Those men enlisted in the Aviation Section with the understanding that they would receive \$100 a month and 60 cents a day for rations. Well, when it became known that all of these men could not be used in the flying training schools they were drilled as privates in Infantry companies, and their pay was reduced from \$100 a month to \$33 a month and their ration allowance was reduced from 60 cents a day to 39 cents a day. Now, if that had only continued for a week or two it would not have been much of a hardship, but it continued longer than that; it continued for a month or two, and it has worked a very great hardship.

Mr. GORDON. Will the gentleman yield?

Mr. HUSTED. In just a minute, when I get through.

I have in mind the case of a young man who enlisted. He was 30 years of age and had a wife and two children. He enlisted with the understanding that he was to receive \$100 a month and 60 cents a day for rations until he received his commission as a lieutenant in the Flying Corps. He was drilled as a private for a couple of months at \$33 a month and 39 cents a day for rations, and if he had not had a little money saved up it would have created a very serious situation for his wife and his two children.

Now, I only mention this in order that it may receive the serious attention of the committee and that something may be done to relieve this condition. But, of course, it should have been relieved by producing more aeroplanes. That is the basis of the trouble. We did not have planes enough, and I think there are a good many reasons why we have not planes enough other than causes absolutely beyond the control of the Aircraft Production Board.

I think, in the first place, that they have wasted altogether too much time in experimentation; that they have not been practical; that they have devoted their whole energy, for example, to producing a better aircraft motor than any other aircraft motor in the world, without knowing whether that experiment was going to be a success or a failure. The practical thing to do, as any manufacturer in the country would admit, was to go ahead and build those types of motors and those types of planes which were known to be practical for war service, and then to carry on the experimentation work on the side in the hope of developing something better than anybody else had ever yet produced. That was the practical thing to do, but during this long period we did not produce any planes. They were experimenting on the Liberty motor. They were not practical in their work in the Aircraft Production Board.

And there is another respect in which they made a great mistake. They waited a long time before they would adopt any particular class of planes, and the reason they gave me for not doing it was, as they said, "You know the Germans have only two types of planes. Everybody knows that the allies have about 50 types of planes, and these types are changing so constantly that it is impossible for us to tell what type of plane to adopt." And I suggested to them if it had ever occurred to their minds that the time might pass by when planes of any type were needed while they were making up their minds as to the types of plane to adopt. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. GREENE of Vermont. Mr. Chairman, I move to strike out the last two words.

Of course, I am not authorized to speak for the War Department's policy, and it probably requires no explanation to this House why I will not. At the same time, as a member of the Committee on Military Affairs and present from time to time at the hearings in consideration of these appropriation and other military bills that have engaged our attention through the past winter, I have heard repeatedly the announcement from some apparently authorized witness that this change was made, or this plan was undertaken, or this system was adopted, or this method was experimented with, because Gen. Pershing sent word from France that he would like to have it done. And little by little it grew upon the consciousness of the committee that the War Department was deferring in most, if not all, of these matters to the advice, counsel, suggestion, or request of Gen. Pershing. By and by this idea materialized to such a substantial extent that it was officially stated in so many words that the War Department did not undertake to run the war in France from this distance; that it did not seek to impose upon Gen. Pershing any limitations that might not be well conceived at the distance of 3,000 miles across the sea; and that it proposed to leave his hands free and his judgment untrammelled, so as to be able to say at the close of the war that whatever happened to Gen. Pershing or his military adventure it could not be argued that he had been hampered or restrained or limited in any mischievous way by any War Department policy initiated on this side of the ocean.

Now, of course, that is a very wise, a very practical thing to do. All we have to do to obtain anything like a confirmation of our judgment as to that is to turn back to the pages of the story of the Civil War and to see how our generals in the field through those four bloody years were handicapped right and left, harassed and pursued, limited, hampered, and sometimes utterly defeated in their military purpose by the intrigues at Washington. I say it is undoubtedly a wise thing for the department to adopt that substantial basis for its policy—that Gen. Pershing shall have, humanly speaking, what he asks for, and with that, of course, we make no question.

But I am reminded, however, of a very natural and a very insidious tendency of human nature in this connection. I wonder if from time to time it has not already displayed itself rather covertly in the departments of the Government and whether we may not again expect to see it from time to time as the future develops.

Those of you who read and love the works of Charles Dickens will remember that in David Copperfield he had a firm of attorneys, Spenslow & Jorkins, and that it was the policy of this firm of lawyers to let Mr. Spenslow do all the business with the public in the front office, while Mr. Jorkins lurked down the cor-

ridors in an obscure office in the building and never was in sight. Every time anybody went to Mr. Spenslow for something that Mr. Spenslow wanted him to have it was all right; but any time that anybody went to Mr. Spenslow for something that Mr. Spenslow did not want him to have, Mr. Spenslow, to his great regret, and pathetically expressed regret, would say, "I would be glad to do this thing for you if I could, but Jorkins is obdurate, stubborn, and unyielding, and Jorkins will not let me do it." And so for years and years this firm carried itself along the primrose path of legal dalliance by Spenslow always charging off to Jorkins what Spenslow did not want to do. But one day David Copperfield, having, as he thought, a very serious errand to Spenslow & Jorkins, and being confronted with this customary statement by Mr. Spenslow, turned right out of the office, went down the hall, and faced the lion in his den. This was the first time it had ever happened to Mr. Jorkins. Mr. Jorkins was a mild, modest, peaceful little man, who did not dare say his soul was his own, and when David laid the case before him Mr. Jorkins took his hat and fled and was not seen there for a month. [Laughter.] This was the monster Jorkins upon whom all those things for years had been laid by Mr. Spenslow.

I will not follow up the moral and apply it, because I am speaking to men who have undoubtedly read it ahead of me. I do not know how many of the things that have happened and the things that will happen in the War Department have been and will be laid upon Gen. "Jorkins" Pershing in France, but I fancy that things that can not be explained in any other way here in America may be explained by the idea that Gen. Pershing wanted it.

In making this remark I do not want to be charged with any sinister intention. I am making it in all good faith. I think it is wise to give Gen. Pershing a free hand in all matters in a common-sense way, but human nature is human nature, and I doubt very much whether that policy, so announced and frequently announced, can always be conjured up as the proper and only reason why things are done on this side of the water that perhaps turn out to be failures. I think maybe if this struggle goes on and we are required from time to time to look into and investigate the conduct of the war we may very well keep in mind this suggestion. I believe it may yet prove to be a touchstone by which we can test out the origin of or responsibility for certain policies and satisfy ourselves about their character and reason for being. [Applause.]

Mr. WALDOW. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. The time of the gentleman has expired.

Mr. WALDOW. I ask unanimous consent that the gentleman may have five minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. WALDOW. Will the gentleman yield?

Mr. GREENE of Vermont. Yes.

Mr. WALDOW. Has the gentleman any information relative to the orders from Gen. Pershing, or anyone else in France, asking us not to build training planes at this time?

Mr. GREENE of Vermont. I recall no specific instance. I know only now and then that some particular thing is passed off at the moment by saying, "This is as Gen. Pershing wanted it."

Mr. WALDOW. Does the gentleman know of any specific instance?

Mr. GREENE of Vermont. I am not referring to any specific instance, and I am making no charges as to particulars. I am merely making this suggestion in good faith. It is something that it will be well to remember and keep in mind when various important matters more or less certain to develop in this war are brought to us that we shall have to determine with great care.

Mr. KAHN. The fact is that the manufacture of training planes has been discontinued because they have as many as they require.

Mr. GREENE of Vermont. There is no trouble about making the training plane, relatively speaking. I understand its production has gone on quite satisfactorily.

Mr. SNOOK. Mr. Chairman, will the gentleman yield?

Mr. GREENE of Vermont. Certainly.

Mr. SNOOK. Can the gentleman tell me whether the \$884,000,000 covered by this item includes everything incident to the support and expense of the aircraft program?

Mr. GREENE of Vermont. I do not know of any considerable sums in other places in the bill that could be charged off to the Aviation Section of the Signal Corps.

Mr. SNOOK. Does this include the pay?

Mr. GREENE of Vermont. No. That is in the Quartermaster's Department. There may be some items which in a book-keeping way trace themselves back to the Aviation Section.

But that suggestion leads me to another phase of this subject, which I hope I may be pardoned for dwelling upon for a moment. The gentleman's question was, in substance, "Does this cover all probable expenses of the Aviation Section for the coming year?" We mean to be thoroughly frank and open and candid with the committee in making the statement that, reduced to its plainest terms, the figures we have brought in in this bill are the last guess of the War Department, refined perhaps at places, certainly moderated a little bit in places now and then, by the guess we added to it. Of course such items as pay and the specific allowances that are set down to be spent for this and that and the other thing established by law are all regulated by the law itself, and the figures simply follow automatically in the bill. But when it comes to providing supplies for the Army and for unusual and sometimes unexpected contingencies for the maintenance of the armies in the field we have simply got to guess, and guess with a prayer in our hearts as we do it. There is no other way. One may very easily lay down, for instance, in peace times a certain definite sum of money, well limited by what practical experience and observation have shown to be a reasonable policy, and say that this part of the Army or that part of the Army shall have that sum of money, and no more, for its maintenance and maneuvers, for drill and training, and so on. That is easily done, because even if the sum shall not prove to be sufficient it is not a great hardship that the activities should temporarily cease along that particular line. But, involved in this great war, no man can foresee from one day's end to the other what sums may be necessary for one particular item incident to the support and maintenance of an army in the field. It is utterly impossible.

For instance, we will direct your attention very soon to appropriations which are asked by the engineers in the field. In normal times we could try to build up not only the amount of property in the shape of engineering field material that was necessary for drilling and training but a certain amount that could be added to the reserve supply always properly to be kept in store. But in the active operations in the field the engineers to-day, for instance, are trying to lay down some piece of engineering work. It is characteristic of this work that the material is largely expended in its use. There is no recovery. There is no reclamation of it under ordinary circumstances, especially when it is used in tactical operations in the field. But even at that, our engineers may lay down perhaps \$100,000 worth of property of a substantial nature ordinarily likely to be serviceable for some time.

To-morrow morning the German has made his raid, he occupies that terrain, and that property is all abandoned into his hands and must be charged up to our appropriation account. Next week perhaps our engineers are laying down a pontoon bridge across a stream. They are starting it systematically, with material enough apparently to perform this very necessary task in the midst of a conflict. Then all at once they are surprised by the Germans, and the first attempt of the Germans is to prevent the laying of the pontoon bridge. It is so urgently necessary to the security of our troops or to the advance of our strategic program that the engineers persist in their attempt to lay this pontoon bridge. The Germans meanwhile are shelling it and destroying much of the material almost as fast as it is laid down. Before that bridge is completed perhaps there has been destroyed in the work leading up to its completion enough material to have laid that bridge several times over, all gone in the twinkling of an eye, as one might say.

To-day we have a million dollars' worth of shells in an ammunition dump somewhere in France. To-night an enemy aeroplane drops a bomb on it, and it is no more.

Those are only sample suggestions, but I hope they illustrate to you quite plainly how utterly impracticable it is for men to sit down here together, even in the gravest council, and try to see if they can approximate with anything like a sensible determination how much money we shall place against every item in this bill. It seems to me the only thing we can do is to be governed by the instinctive patriotic purpose that wells up in the heart of every one of us, and let so much of the restraints of book-keeping go for the present. The only thing we can be assured of is such certainty of honesty of accounting as will show us by and by where every dollar went, and that every dollar went for an honest purpose through the hands of honest men.

Something has been said about the size of this appropriation, and the question has been asked as to whether the committee has employed its opportunities for examination of witnesses and other methods sufficiently to be reasonably certain that these appropriations have been prepared with something like proper scrutiny and care. I need perhaps only to suggest to you that as this item which we are now considering came down to us by estimate it was for \$1,038,000,000. We

have, through counsel with those who appeared before us and through some investigations as to the purposes for which these things were likely to be used or must necessarily be used, scaled that down to \$884,304,758. Of course, that is no guaranty that the sums we have set against the items in the bill will be the limit of the expenditure, because certainly you and I know that if it became necessary to spend more in order to keep our Army in the field in this emergency we would shoot against the wall the man who obstinately and needlessly waited until Congress convened before he spent the money. There would be no question about that.

Mr. LONGWORTH. Did not the original estimate also include the \$105,000,000?

Mr. GREENE of Vermont. That is for the Signal Corps.

Mr. LONGWORTH. That has nothing to do with this?

Mr. GREENE of Vermont. No. So this one instance perhaps may be accepted by you as a sufficient guaranty of the good faith we have tried to exercise in scrutinizing all the other items of the bill and in scaling down the sums submitted. There is so much that we must take upon credit, there is so much that we must take upon faith, in the awful uncertainties of the world's most awful war, that we do not pretend to be exact after the manner of a cash register, but we do want to be sensibly liberal. [Applause.]

Mr. HARRISON of Virginia rose.

Mr. KAHN. * Mr. Chairman, I will yield for my colleague on the committee, Mr. HARRISON of Virginia, if he desires some time.

Mr. HARRISON of Virginia. Mr. Chairman, I want to go back to what was brought up here yesterday in regard to the cost-plus form of contract. I do that because in all of the war activities there was no misrepresentation which was more generally circulated in certain sections of the district I have the honor to represent than the criticisms of that form of contract. I took up this matter with the War Department in order to get a concrete and concise statement as to the truth about this form of contract. I have a letter from Col. Marshall, of the Quartermaster Corps, in charge of the construction division, which I desire to read. I also have the report of the commission on whose recommendation this form of contract was adopted, and I also have the form of the contract itself, which I will ask leave to put into the Record, so that we will have before us in concrete shape the exact truth about these contracts.

Mr. ANTHONY. Will the gentleman state again what the nature of the contract was?

Mr. HARRISON of Virginia. The cost-plus contract, which gives the contractor a commission on the actual cost. The letter from Col. Marshall is as follows:

WAR DEPARTMENT,
OFFICE OF CONSTRUCTION DIVISION,
Washington, April 18, 1918.

Hon. T. W. HARRISON,
House of Representatives, Washington, D. C.

MY DEAR SIR: Your letter of April 10 addressed to the Acting Quartermaster General of the Army, with inclosure from Mr. Walter Campbell, of Luray, Va., has been referred to this office for consideration and reply.

It is unquestionably true that the most erroneous impression has been spread abroad regarding the real method of work pursued in connection with the construction of the War Department during the past months. It has been repeatedly stated, although the statement has been many times shown to be without foundation, that there was no check upon the contractors in the way of prevention of inordinate swelling of the cost of the work, and that the contractor could, by increasing the cost of the work, almost without limit increase his own profits pro tanto.

As a matter of fact, the contractor in all the jobs of any magnitude under the direction of the Construction Division has received a compensation which netted him a very low percentage indeed. For example, the average percentage of the entire cost of the National Army cantonnements which was received by the contractors as their fees was under 3 per cent. The compensation of the contractor is graduated on a sliding scale, so that the higher the cost of the work the lower the percentage of such cost which represents the fee of the contractor. In addition to this, there is an absolute check on the amount which can possibly be received by the contractor under the form of contract used. A stated maximum is fixed, beyond which no money can be received by the contractor, no matter how much the job may cost.

Inasmuch as in most cases this maximum, figured on a percentage basis, was reached comparatively early in the job, it is directly to the interest of the contractor to finish the job as quickly as possible to decrease the expense of the same in order that his overhead may be cut down.

Inclosed herewith is a photostat copy of the findings of the committee which was appointed to make a thorough investigation of the emergency form of contract and to report any substitute therefor or improvements thereon which might be devised. The report speaks for itself.

Inclosed herewith also is a copy of the emergency form of contract, under which all work of any size under the direction of this office is done.

It is believed that this letter and inclosed documents completely answer the points raised by your correspondent.

Very respectfully,

R. C. MARSHALL, JR.,
Colonel, Quartermaster Corps, National Army,
In Charge of Construction Division.

The report of the commission and the form of the contract are as follows:

MARCH 15, 1918.

To Lieut. Col. R. C. MARSHALL,
Quartermaster Corps, National Army,
In charge of Cantonment Division.

SIR: The committee invited to advise in regard to methods of executing construction work under the direction of the Cantonment Division begs to report as follows:

The committee has not felt that a study of the details as to form and content of the contract form proposed is embraced in the scope of the invitation presented, and it has therefore limited its consideration to the purchase and hire method and to the various schemes of contractual relations which might be established for emergency construction work between the Government on the one hand and the constructing agencies on the other.

Broadly speaking there is but one alternative to the usual method of executing work through the process of letting it under some one of the various forms of contract, and that is by purchase and hire, which means, in effect, the forming of the operating organization, the purchasing of all material, and the hiring of all labor by the Government itself. The main objections to this method may be summarized as follows:

The most vital prerequisite to the successful and speedy prosecution of emergency construction work is an efficient field organization. This takes time and experience to assemble, and such organizations must be tried out to insure efficiency, and it seems apparent that the valuable time lost in such process is an insuperable objection to this method. The committee believes existing contractors' organizations should be maintained and fostered, as they constitute, in the opinion of the committee, important factors in the economic-life of the Nation and of exceeding importance to its progress when the war is over. These organizations have been built up through the course of many years, and they should not be disrupted or destroyed if their services may be utilized in the work proposed. Serious embarrassment is likely to arise from placing employees on the construction work under the rules and regulations imposed on all Government employees. The difficulty of adapting such rules and regulations to the character and conditions of the work in the various sections of the country would be a very serious drawback in the judgment of the committee.

The administration of work under this method would create an unwieldy organization in Washington. The vast amount of the work proposed and its varying character, and the fact that it is so widely scattered over the country, would make it almost impracticable to attempt to administer it all through a central office, and if it is attempted to decentralize it by transferring final authority to each piece of work it practically becomes an agency contract.

Such a system might be applicable to a project of colossal magnitude under conditions in which time is not of the essence of the contract and might conceivably be a sheer necessity where sanitation, policing, and other governmental functions could not be adequately provided for in any of the usual contractual forms.

The committee finding none of the conditions which would recommend this method of procedure present in the emergency construction work contemplated, and finding on the contrary many serious objections, advises that the "purchase and hire" method be not used.

The committee advises, therefore, that the projected work be executed under some form of contract with existing contracting organizations, and the committee has weighed carefully the advantages and disadvantages of the various methods in common use, with reference to the particular problems presented by the type of projects and the conditions imposed by their emergency nature as well as the abnormal conditions of the labor and material market produced by war conditions.

A few years ago the lump-sum contract was the one most commonly employed, and for it were claimed many advantages for both parties thereto which are to-day found to exist in all the contractual instruments which are equitably drawn. There could be no possible objections to the "lump-sum" contract were the Government dealing with clearly delineated problems to be executed under stable peace conditions always provided that the bidders be selected for their fitness and capabilities to properly perform the work, but the committee finds the following vital defects to which it begs to call to your attention.

No steps may be taken until drawing and specifications are complete, the bids taken, and the contract awarded, and thus would be lost those precious months which may be measured not in dollars but in lives.

The history of war-emergency construction shows the development of many projects originally small by comparison into works of great magnitude and importance, and for such development the "lump-sum" plan is too inflexible to operate satisfactorily; administration costs must increase in adjusting important changes, while inequities and dissatisfaction are bound to arise. In such an unstable market as exists costs must be figured by the contractor high enough to provide a margin to cover unforeseen and uncontrollable changes in the prices of material or labor which would result in a speculative price which would be disadvantageous to the Government.

Your committee advises, therefore, that the "lump-sum" method be not used.

There is a variant to the foregoing which provides for a lump-sum contract to cover the original project, with a cost-plus remuneration for changes and extensions, but since the main objections inherent in the straight lump-sum method are present here also the committee advises that it be not used.

On an emergency contract of intermediate extent an admirable method in normal times is an agreed fixed price on such units of construction as per yard of concrete in place, per thousand bricks in the wall, etc.; but here again the committee finds that existing conditions and the extreme variations in scope of the work rob it of its sole advantage—exact adjustment by final survey. A fairly complete knowledge in advance of the conditions under which concrete is to be poured and steel fabricated and erected obviously controls a close estimate for the establishment of equitable unit prices, and so this method acquires many of the objections advanced against the "lump-sum" method. For these reasons the committee advises that the "unit-price" method be not used.

One other type of contract should be mentioned before presenting the scheme the committee unanimously advises, and that is the agency form of contract. The agency contract must be founded upon, and its successful use depends upon securing those absolutely essential conditions of mutual trust and confidence which grow alone from long and satisfactory association in the position of owner and contractor; its principal use is confined to undertakings of such magnitude as to be beyond the financial capacities of the strongest contracting organizations, and

unless contemplated projects embrace work of so extraordinary a character we deem its use unwise, particularly as an agent could involve the Government in onerous obligations.

Having advised therefore that these various forms be not used, and for the reasons stated, the committee unanimously concurs in advocating what may be termed "the cost plus," a sliding scale fee scheme of contract for both general contracts and subcontracts. In its general application it enjoys the same confidence in the building world as to the equities as does the lump-sum contract, as is evidenced by its very extensive use. Its essential features are its applicability to projects great and small—its extreme flexibility with automatic adjustment of all variations in plan and scope. Under its terms the rates of pay for labor are known to be more equitable than under other methods; it requires for its successful application a painstaking review of the records and standing of contractors just as is now made under existing methods to insure the selection of an organization which measures up to the requirements of the contemplated project, but without working any hardship, since no one can escape the axiom that in the final analysis each job can go only to one contractor. The committee believes that one of the objections charged to this form of contract is that it encourages extravagance and holds open temptations to increase costs, because such increase is accompanied by increased compensation. The general form of contract now in use by the cantonment division, in which the percentage decreases as the cost increases and is broken by fixed fees at intervals, seems calculated to effectually check, if not prevent, this tendency. Moreover, under the contract proposed the Government retains the right to control the prices of most materials and of labor. Under these circumstances it does not seem to the committee that such an objection would have any force in relation to this form of contract. No reasonable objection can be pointed out by anyone possessing a full understanding of its equitable operation in practice, and finally this scheme appeals to the committee as possessing one qualification which must commend it to all thinking men—it permits starting actual work weeks and even months before the details are completely worked out and delineated, and permits the Government to push the job at any speed it may elect, changing at will its plan and scope, but paying only what the work actually costs plus a fee which is so reasonable as to be above the reach of fair-minded criticism.

The committee therefore advises for emergency construction work by the cantonment division the scheme of contract known as "cost of the work plus a sliding-scale percentage with a maximum upset fee."

Respectfully submitted,

A. N. TALBOT, *Chairman.*
JOHN LAWRENCE MAURAN, *Secretary.*
JOHN R. ALPINE.
FREDERICK L. CRANFORD.
CHARLES T. MAIN.
OSCAR A. REUM.
R. G. RHETT.
E. W. RICE, Jr.

NOTE.—The committee invited to advise in regard to methods of executing construction work under the direction of the cantonment division was as follows:

John R. Alpine, general president United Association of Plumbers and Steam Fitters, representing the American Federation of Labor.

Fredrick L. Cranford, president General Contractors' Association of New York, Brooklyn, N. Y.

Charles T. Main, president American Society of Mechanical Engineers, Boston, Mass.

John Lawrence Mauran, president American Institute of Architects, St. Louis, Mo.

Oscar A. Reum, representative of the president of the Building Construction Employers' Association, Chicago, Ill.

R. G. Rhett, president Chamber of Commerce, United States of America, Charleston, S. C.

E. W. Rice, president American Institute of Electrical Engineers, Schenectady, N. Y.

A. N. Talbot, president American Society of Civil Engineers, Urbana, Ill.

CONTRACT FOR EMERGENCY WORK.

CONSTRUCTION OF ———.

Contract made and concluded this — day of —, 191—, by and between —, a corporation organized under the laws of the State of —, represented by —, its president, party of the first part (hereinafter called contractor) and the United States of America, by — (hereinafter called contracting officer), acting by authority of the Secretary of War, party of the second part.

Whereas the Congress having declared by joint resolution approved April 6, 1917, that war exists between the United States of America and Germany, a national emergency exists and the United States urgently requires the immediate performance of the work hereinafter described, and it is necessary that said work shall be completed within the shortest possible time; and

Whereas it is advisable, under the disturbed conditions which exist in the contracting industry throughout the country, for the United States to depart from the usual procedure in the matter of letting contracts, and adopt means that will insure the most expeditious results; and

Whereas the contractor has had experience in the execution of similar work, has an organization suitable for the performance of such work, and is ready to undertake the same upon the terms and conditions herein provided:

Now, therefore, this contract witnesseth, that in consideration of the premises and of the payments to be made as hereinafter provided, the contractor hereby covenants and agrees to and with the contracting officer as follows:

ARTICLE I.

EXTENT OF THE WORK.

The contractor shall, in the shortest possible time, furnish the labor, material, tools, machinery, equipment, facilities, and supplies, and do all things necessary for the construction and completion of the following work:

in accordance with the drawings and specifications to be furnished by the contracting officer, and subject in every detail to his supervision, direction, and instruction.

The contracting officer may, from time to time, by written instructions or drawings issued to the contractor, make changes in said drawings and specifications, issue additional instructions, require additional

work, or direct the omission of work previously ordered, and the provisions of this contract shall apply to all such changes, modifications, and additions with the same effect as if they were embodied in the original drawings and specifications. The contractor shall comply with all such written instructions or drawings.

The title to all work completed or in course of construction shall be in the United States; and upon delivery at the site of the work, and upon inspection and acceptance in writing by the contracting officer, all machinery, equipment, hand tools, supplies, and materials, for which the contractor shall be entitled to be reimbursed under paragraph (a) of Article II hereof, shall become the property of the United States. These provisions as to title shall not operate to relieve the contractor from any duties imposed hereby or by the contracting officer.

ARTICLE II.

COST OF THE WORK.

The contractor shall be reimbursed in the manner hereinafter described for such of its actual net expenditures in the performance of said work as may be approved or ratified by the contracting officer and as are included in the following items:

(a) All labor, material, machinery, hand tools not owned by the workmen, supplies and equipment, necessary for either temporary or permanent use for the benefit of said work; but this shall not be construed to cover machinery or equipment mentioned in section (c) of this article. The contractor shall make no departure from the standard rate of wages being paid in the locality where said work is being done without the prior consent and approval of the contracting officer.

(b) All subcontracts made in accordance with the provisions of this agreement.

(c) Rental actually paid by the contractor, at rates not to exceed those mentioned in the schedule of rental rates hereto attached, for construction plant in sound and workable condition, such as pumps, derricks, concrete mixers, boilers, clam-shell or other buckets, electric motors, electric drills, electric hammers, electric hoists, steam shovels, locomotive cranes, power saws, engineers' levels and transits, and such other equipment as may be necessary for the proper and economical prosecution of the work.

Rental to the contractor for such construction plant or parts thereof as it may own and furnish, at the rates mentioned in the schedule of rental rates hereto attached, except as hereinafter set forth. When such construction plant or any part thereof shall arrive at the site of the work, the contractor shall file with the contracting officer a schedule setting forth the fair valuation at that time of each part of such construction plant. Such valuation shall be deemed final, unless the contracting officer shall, within five days after the machinery has been set up and is working, modify or change such valuation, in which event the valuation so made by the contracting officer shall be deemed final. When and if the total rental paid to the contractor for any such part shall equal the valuation thereof, no further rental therefor shall be paid to the contractor, and title thereto shall vest in the United States. At the completion of the work the contracting officer may at his option purchase for the United States any part of such construction plant then owned by the contractor by paying to the contractor the difference between the valuation of such part or parts and the total rentals theretofore paid therefor.

Rates of rental as substitutes for such scheduled rental rates may be agreed upon in writing between the contractor and the contracting officer, such rates to be, in conformity with rates of rental charged in the particular territory in which the work covered by this contract is to be performed. If the contracting officer shall furnish or supply any such equipment, the contractor shall not be allowed any rental therefor and shall receive no fee for the use of such equipment.

(d) Loading and unloading such construction plant, the transportation thereof to and from the place or places where it is to be used in connection with said work, subject to the provisions hereinafter set forth, the installation and dismantling thereof, and ordinary repairs and replacements during its use in the said work.

(e) Transportation and expenses to and from the work of the necessary field forces for the economical and successful prosecution of the work, procuring labor, and expediting the production and transportation of material and equipment.

(f) Salaries of resident engineers, superintendents, timekeepers, foremen, and other employees at the field offices of the contractor in connection with said work. In case the full time of any field employees of the contractor is not applied to said work but is divided between said work and other work, his salary shall be included in this item only in proportion to the actual time applied to this work.

(g) Buildings and equipment required for necessary field offices, commissary and hospital, and the cost of maintaining and operating said offices, commissary, and hospital, including such minor expenses as telegrams, telephone service, expressage, postage, etc.

(h) Such bonds, fire, public liability, employers' liability, workmen's compensation, and other insurance as the contracting officer may approve or require and such losses and expenses, not compensated by insurance or otherwise, as are found and certified by the contracting officer to have been actually sustained (including settlements made with the written consent and approval of the contracting officer) by the contractor in connection with said work, and to have clearly resulted from causes other than the fault or neglect of the contractor. Such losses and expenses shall not be included in the cost of the work for the purpose of determining the contractor's fee. The cost of reconstructing and replacing any of the work destroyed or damaged shall be included in the cost of the work for the purpose of reimbursement to the contractor, but not for the purpose of determining the contractor's fee, except as hereinafter provided.

(i) Permit fees, deposits, royalties, and other similar items of expense incidental to the execution of this contract, and necessarily incurred. Expenditures under this item must be approved in advance by the contracting officer.

(j) Such proportion of the transportation, traveling, and hotel expenses of officers, engineers, and other employees of the contractor as is actually incurred in connection with this work.

(k) Such other items as should in the opinion of the contracting officer be included in the cost of the work. When such an item is allowed by the contracting officer it shall be specifically certified as being allowed under this paragraph.

The United States reserves the right to pay directly to common carriers any or all freight charges on material of all kinds and machinery furnished under this contract and certified by the contracting officer as being for installation or for consumption in the course of the work hereunder; the contractor shall be reimbursed for such freight charges of this character as it shall pay and as shall be specifically certified by the contracting officer; but the contractor shall have no fee based on

such expenditures. Freight charges paid by the contractor for transportation of construction equipment, construction plant, tools, and supplies of every character shall be treated as part of the cost of the work upon which the contractor's fee shall be based, provided that charges for transportation of such construction equipment, construction plant, and tools over distances in excess of 500 miles shall require the special approval of the contracting officer.

No salaries of the contractor's executive officers, no part of the expense incurred in conducting the contractor's main office, or regularly established branch office, and no overhead expenses of any kind, except as specifically listed above, shall be included in the cost of the work; nor shall any interest on capital employed or on borrowed money be included in the cost of the work.

The contractor shall take advantage to the extent of its ability of all discounts available, and when unable to take such advantage shall promptly notify the contracting officer of its inability and its reasons therefor.

All revenue from the operations of the commissary, hospital, or other facilities, or from rebates, refunds, etc., shall be accounted for by the contractor and applied in reduction of the cost of the work.

ARTICLE III.

DETERMINATION OF FEE.

As full compensation for the services of the contractor, including profit and all general overhead expense, except as herein specifically provided, the contracting officer shall pay to the contractor in the manner hereinafter prescribed a fee to be determined at the time of completion of the work from the following schedule, except as hereinafter otherwise provided:

If the cost of the work is \$100,000 or under, a fee of 7 per cent of such cost.

If the cost of the work is over \$100,000 and under \$125,000, a fee of \$7,000.

If the cost of the work is over \$125,000 and under \$450,000, a fee of 6½ per cent.

If the cost of the work is over \$450,000 and under \$500,000, a fee of \$29,250.

If the cost of the work is over \$500,000 and under \$1,000,000, a fee of 6 per cent.

If the cost of the work is over \$1,000,000 and under \$1,100,000, a fee of \$60,000.

If the cost of the work is over \$1,100,000 and under \$1,500,000, a fee of 5½ per cent.

If the cost of the work is over \$1,500,000 and under \$1,650,000, a fee of \$82,500.

If the cost of the work is over \$1,650,000 and under \$2,200,000, a fee of 5 per cent.

If the cost of the work is over \$2,200,000 and under \$2,450,000, a fee of \$110,000.

If the cost of the work is over \$2,450,000 and under \$2,850,000, a fee of 4½ per cent.

If the cost of the work is over \$2,850,000 and under \$3,250,000, a fee of \$128,250.

If the cost of the work is over \$3,250,000 and under \$4,000,000, a fee of 4 per cent.

If the cost of the work is over \$4,000,000 and under \$4,250,000, a fee of \$160,000.

If the cost of the work is over \$4,250,000 and under \$4,775,000, a fee of 3¾ per cent.

If the cost of the work is over \$4,775,000 and under \$5,175,000, a fee of \$179,062.50.

If the cost of the work is over \$5,175,000 and under \$5,725,000, a fee of 3½ per cent.

If the cost of the work is over \$5,725,000 and under \$6,225,000, a fee of \$200,375.

If the cost of the work is over \$6,225,000 and under \$6,825,000, a fee of 3¼ per cent.

If the cost of the work is over \$6,825,000 and under \$7,400,000, a fee of \$221,812.50.

If the cost of the work is over \$7,400,000 and under \$7,750,000, a fee of 3 per cent.

If the cost of the work is over \$7,750,000 and under \$8,350,000, a fee of \$235,500.

If the cost of the work is over \$8,350,000 and under \$8,800,000, a fee of 2¾ per cent.

If the cost of the work is over \$8,800,000 and under \$9,650,000, a fee of \$242,000.

If the cost of the work is over \$9,650,000 and under \$10,000,000, a fee of 2½ per cent.

If the cost of the work is over \$10,000,000, a fee of \$250,000.

Provided, however, That the fee upon such part of the cost of the work as is represented by payments to subcontractors, under subdivision (b) of Article II hereof, shall in each of the above contingencies be 2½ per cent and no more of the amount of such part of the cost.

The cost of materials purchased or furnished by the contracting officer for said work, exclusive of all freight charges thereon shall be included in the cost of the work for the purpose of reckoning such fee to the contractor, but for no other purpose.

The fee for reconstructing and replacing any of the work destroyed or damaged shall be such percentage of the cost thereof—not exceeding 7 per cent—as the contracting officer may determine.

The total fee to the contractor hereunder shall in no event exceed the sum of ———, anything in this agreement to the contrary notwithstanding.

ARTICLE IV.

PAYMENTS.

On or about the 7th day of each month the contracting officer and the contractor shall prepare a statement showing as completely as possible: (1) The cost of the work up to and including the last day of the previous month, (2) the cost of the materials furnished by the contracting officer up to and including such last day, and (3) an amount equal to 2½ per cent, except as herein otherwise provided, of the sum of (1) and (2) on account of the contractor's fee; and the contractor at such time shall deliver to the contracting officer original signed pay rolls for labor, original invoices for materials purchased, and all other original papers not theretofore delivered supporting expenditures claimed by the contractor to be included in the cost of the work. If there be any item or items entering into such statement upon which the contractor and the contracting officer can not agree, the decision of the contracting officer as to such disputed item or items shall govern. The contracting officer shall then pay to the contractor, on or about the 9th day of each month, the cost of the work mentioned in (1) and the

fee mentioned in (3) of such statement, less all previous payments. When the statement above mentioned includes any work of reconstructing and replacing work destroyed or damaged, the payment on account of the fee in (3) for such reconstruction and replacement work shall be computed at such rate, not exceeding 2½ per cent, as the contracting officer may determine. The statement so made and all payments made thereon shall be final and binding upon both parties hereto, except as provided in Article XIV hereof. The contracting officer may also make payments at more frequent intervals for the purpose of enabling the contractor to take advantage of discounts at intervals between the dates above mentioned or for other lawful purposes. Upon final completion of said work the contracting officer shall pay to the contractor the unpaid balance of the cost of the work and of the fee as determined under Articles II and III hereof.

ARTICLE V. INSPECTION AND AUDIT.

The contracting officer shall at all times be afforded proper facilities for inspection of the work and shall at all times have access to the premises, to the work and material, and to all books, records, correspondence, instructions, plans, drawings, receipts, vouchers, and memoranda of every description of the contractor pertaining to said work; and the contractor shall preserve for a period of two years after its completion or cessation of work under this contract all the books, records, and other papers just mentioned. Any duly authorized representative of the contractor shall be accorded the privilege of examining the books, records, and papers of the contracting officer relating to said work for the purpose of checking up and verifying the cost of said work. The system of accounting to be employed by the contractor shall be such as is satisfactory to the contracting officer.

If at any time the contracting officer shall find that bills for labor, material, or other bills legitimately incurred by the contractor hereunder, are not promptly paid by the contractor, the contracting officer may, in his discretion, refuse to make further payments to the contractor until all such obligations past due shall have been paid. Should the contractor neglect or refuse to pay such bills within five days after notice from the contracting officer so to do, then the contracting officer shall have the right to pay such bills directly, in which event such direct payments shall not be included in the cost of the work.

ARTICLE VI. SPECIAL REQUIREMENTS.

The contractor hereby agrees that it will:

- (a) Begin the work herein specified at the earliest time practicable, and diligently proceed so that such work may be completed at the earliest possible date.

- (b) Promptly pay for all labor, material, or other service rendered.
- (c) Procure and thereafter maintain such insurance in such forms and in such amounts and for such periods of time as the contracting officer may approve or require.

- (d) Procure all necessary permits and licenses, and obey and abide by all laws, regulations, ordinances, and other rules applying to such work, of the United States of America, of the State or Territory wherein such work is done, of any subdivision thereof, or of any duly constituted public authority.

- (e) Unless this provision is waived by the contracting officers, insert in every contract made by it for the furnishing to it of services, materials, supplies, machinery, and equipment, or the use thereof, for the purposes of the work hereunder, a provision that such contract is assignable to the United States, will make all such contracts in its own name, and will not bind or purport to bind the United States or the contracting officer thereunder.

- (f) In every subcontract made in accordance with the provisions hereof, require the subcontractor to agree to comply fully with all the undertakings and obligations of the contractor herein, excepting such as do not apply to such subcontractor's work.

- (g) At all times keep at the site of the work a duly appointed representative, who shall receive and execute on the part of the contractor such notices, directions, and instructions as the contracting officer may desire to give.

- (h) At all times use its best efforts in all its acts hereunder to protect and subserve the interest of the contracting officer and the United States.

ARTICLE VII. RIGHT TO TERMINATE CONTRACT.

Should the contractor at any time refuse, neglect, or fail in any respect to prosecute the work with promptness and diligence, or default in the performance of any of the agreements herein contained, the contracting officer may, at his option, after five days' written notice to the contractor, terminate this contract, and may enter upon the premises and take possession, for the purpose of completing said work, of all materials, tools, equipment, and appliances, and all options, privileges, and rights, and may complete, or employ any other person or persons to complete, said work. In case of such termination of the contract, the contracting officer shall pay to the contractor such amounts of money on account of the unpaid balance of the cost of the work and of the fee as will result in fully reimbursing the contractor for the cost of the work up to the time of such termination, plus a fee computed thereon at the rate or rates for monthly payments set forth in Article IV hereof; and the contracting officer shall also pay to the contractor compensation, either by purchase or rental, at the election of the contracting officer, for any equipment retained; such compensation, in the event of rental, to be in accordance with paragraph (c) of Article II, and in the event of purchase to be based upon the valuation determined by the contracting officer as of the time of his taking such possession. The contractor hereby agrees that such payments when made shall constitute full settlement of all claims of the contractor against the contracting officer and the United States, or either of them, for money claimed to be due to the contractor for any reason whatsoever. In case of such termination of the contract the contracting officer shall further assume and become liable for all such obligations, commitments, and unliquidated claims as the contractor may have theretofore in good faith undertaken or incurred in connection with said work, and the contractor shall, as a condition of receiving the payments mentioned in this article, execute and deliver all such papers and take all such steps as the contracting officer may require for the purpose of fully vesting in him the rights and benefits of the contractor under such obligations or commitments. When the contracting officer shall have performed the duties incumbent upon him under the provisions of this article, the contracting officer shall thereafter be entirely released and discharged of and from any and all demands, actions, or claims of any kind on the part of the contractor hereunder or on account hereof.

ARTICLE VIII.

ABANDONMENT OF WORK BY CONTRACTING OFFICER.

If conditions should arise which in the opinion of the contracting officer make it advisable or necessary to cease work under this contract, the contracting officer may abandon the work and terminate this contract. In such case the contracting officer shall assume and become liable for all such obligations, commitments, and unliquidated claims as the contractor may have theretofore, in good faith, undertaken or incurred in connection with said work; and the contractor shall, as a condition of receiving the payments mentioned in this article, execute and deliver all such papers, and take all such steps as the contracting officer may require for the purpose of fully vesting in him the rights and benefits of the contractor under such obligations or commitments. The contracting officer shall pay to the contractor such an amount of money on account of the unpaid balance of the cost of the work and of the fee as will result in the contractor receiving full reimbursement for the cost of the work up to the time of such abandonment, plus a fee to be computed in the following manner: To the cost of the work up to the time of such abandonment shall be added the amount of the contractual obligations or commitments assumed by the contracting officer, and such total shall be treated as the cost of the work, upon which the fee shall be computed in accordance with the provisions of Article III hereof. When the contracting officer shall have performed the duties incumbent upon him under the provisions of this article, the contracting officer and the United States shall thereafter be entirely released and discharged of and from any and all demands, actions, or claims of any kind on the part of the contractor hereunder or on account hereof.

ARTICLE IX. BOND.

The contractor shall, prior to commencing the said work, furnish a bond, with sureties satisfactory to the contracting officer, in the sum of _____ dollars, conditioned upon its full and faithful performance of all the terms, conditions, and provisions of this contract, and upon its prompt payment of all bills for labor, material, or other service furnished to the contractor.

ARTICLE X. CONVICT LABOR.

No person or persons shall be employed in the performance of this contract who are undergoing sentence of imprisonment at hard labor imposed by the courts of any of the several States, Territories, or municipalities having criminal jurisdiction.

ARTICLE XI. HOURS AND CONDITIONS OF LABOR.

No laborer or mechanic doing any part of the work contemplated by this contract in the employ of the contractor or any subcontractor contracting for any part of said work contemplated shall be required or permitted to work more than eight hours in any one calendar day upon such work, such prohibition being in accordance with the act approved June 19, 1912, limiting the hours of daily service of mechanics and laborers on work under contracts to which the United States is a party. For each violation of the requirements of this article a penalty of \$5 shall be imposed upon the contractor for each laborer or mechanic for every calendar day in which said employee is required or permitted to labor more than eight hours upon said work, and all penalties thus imposed shall be withheld for the use and benefit of the United States. *Provided*, That this paragraph shall not be enforced nor shall any penalty be exacted in case such violation shall occur while there is in effect any valid Executive order suspending the provisions of said act approved June 19, 1912, or waiving the provisions and stipulations thereof with respect to either this contract or any class of contracts in which this contract shall be included, or when the violation shall be due to any extraordinary events or conditions of manufacture, or to any emergency caused by fire, famine, or flood, by danger to life or property, or by other extraordinary events or conditions on account of which, by subsequent Executive order, such past violation shall have been excused.

In the event of any dispute with reference to wages, hours, or other conditions appertaining to said work, between the contractor or any subcontractor and labor employed by him on said work, the contractor or subcontractor shall immediately notify the contracting officer of the existence of such dispute and the reasons therefor. The contracting officer may, at his option, instruct the contractor or subcontractor involved in such dispute as to the method or steps which the contractor or subcontractor should follow with reference thereto, and the contractor or subcontractor shall thereupon comply with such instructions.

ARTICLE XII.

RIGHT TO TRANSFER OR SUBLET.

Neither this contract nor any interest therein shall be assigned or transferred. The contractor shall not enter into any subcontract for any part of the work herein specified without the consent and approval in writing of the contracting officer. In case of such assignment, transfer, or subletting without the consent and approval in writing of the contracting officer, the contracting officer may refuse to carry out this contract either with the transferor or transferee, but all rights of action for any breach of this contract by the contractor are reserved to the United States.

ARTICLE XIII.

NO PARTICIPATION IN PROFITS BY GOVERNMENT OFFICIALS.

No Member of or Delegate to Congress, or Resident Commissioner, nor any other person belonging to or employed in the military service of the United States, is or shall be admitted to any share or part of this contract, or to any benefit that may arise therefrom, but this article shall not apply to this contract so far as it may be within the operation or exception of section 116 of the act of Congress approved March 4, 1909 (35 Stats., 1109).

ARTICLE XIV.

SETTLEMENT OF DISPUTES.

This contract shall be interpreted as a whole and the intent of the whole instrument, rather than the interpretation of any special clause, shall govern. If any doubts or disputes shall arise as to the meaning or interpretation of anything in this contract, or if the contractor shall consider itself prejudiced by any decision of the contracting officer made under the provisions of Article IV hereof, the matter shall be referred to the officer in charge of cantonment construction for determination. If, however, the contractor shall feel aggrieved by the decision of the officer in charge of cantonment construction, it shall have the right to submit the same to the Secretary of War, whose decision shall be final and binding upon both parties hereto.

ARTICLE XV.

This contract shall bind and inure to the contractor and its successors.

It is understood and agreed that wherever the words "contracting officer" are used herein, the same shall be construed to include his successor in office, any other person to whom the duties of the contracting officer may be assigned by the Secretary of War, and any duly appointed representatives of the contracting officer.

Witness the hands of the parties hereto the day and year first above written, all in triplicate.

By _____, President.

Witnesses:

(1) _____

(2) _____

By _____, UNITED STATES OF AMERICA,
Contracting Officer.

Witnesses:

(1) _____

(2) _____

SCHEDULE OF RENTAL RATES.

(The rates mentioned are per day.)

The following ranges of rental rates are shown only as an indication of what may be allowed. Rentals will be fixed by contracting officer, who will take into consideration sizes, capacities, conditions, and fair market valuations of equipment. Rentals for equipment not shown on list following will be fixed as provided in last paragraph of section (c) of Article II hereof:

Automobiles	.....	\$2.00 to \$8.00
Adding and listing machines and typewriters	.....	.25 .50
Buckets, tipple, bottom dump, orange-peel, clam-shell, etc.	.....	.50 2.00
Boring machines, power driven	.....	.20 .75
Back fillers, power driven	.....	2.50 10.00
Block machines, concrete	.....	.....
Boilers, upright and horizontal	.....	1.50 6.00
Cars, steel or wooden, contractors'	.....	.40 2.00
Crushers, stone	.....	.....
Compressors	.....	1.50 8.00
Derricks, with or without power	.....	.50 20.00
Dirt spreaders	.....	2.00 15.00
Drying outfits complete	.....	.....
Engines, skeleton, with or without slewing gears	.....	2.00 5.00
Engines, traction	.....	2.00 15.00
Hammers, riveting	.....	.....
Instruments, engineering	.....	.25 1.00
Locomotives, narrow or standard gauge	.....	5.00 25.00
Mixers, with or without power, equipped with loaders or not	.....	1.00 8.00
Motorcycles	.....	.25 1.00
Motors, electric	.....	.25 8.00
Pumps, with or without power	.....	.50 6.00
Pipe machines, with or without power	.....	.50 6.00
Pile drivers, drop, steam-hammer or jet, with or without power	.....	.50 25.00
Flows, not car unloaders	.....	.25 1.00
Rail, per ton	.....	.....
Rollers, horse or power	.....	.50 15.00
Scrapers, slip or wheel	.....	.25 1.00
Saws, power	.....	.25 5.00
Steam shovels	.....	10.00 30.00
Skips, steel or wooden	.....	.10 1.00
Trench diggers	.....	10.00 30.00
Trucks, motor	.....	1.00 25.00
Wagons	.....	.25 1.00

Fuel, lubricants, and labor not included in the above.

It seems that this form of contract was resorted to after this commission had been appointed to investigate the whole subject as to what form of contract should be resorted to. In the next place it appears that the average percentage received by the contractors was less than 3 per cent on the amount of the expenditure, and in the next place it is shown that they can make no profit by continuing the work, because there is a limit to the compensation which they can receive, and after the work has reached that point then they must do all the work that is necessary to be done without further compensation.

Mr. KNUTSON. Will the gentleman yield for a question?

Mr. HARRISON of Virginia. Yes.

Mr. KNUTSON. What is that point?

Mr. HARRISON of Virginia. There is a maximum amount fixed in every contract, and they can receive no more, no matter what is the maximum cost. This contract is still in use in the construction department, as the result of long experience.

As to all these criticisms, criticism of these contracts, criticism of the aircraft construction, criticism of the medical department in regard to the care of the sick, criticism as to the construction of the cantonments, and criticism as to the ordinance, whenever an investigation has been made it has almost universally been found that there is not only a refutation of the charges, but a tribute to the efficiency of the War Department.

Mr. CANNON. Will the gentleman yield?

Mr. HARRISON of Virginia. I will.

Mr. CANNON. Let me put a case to the gentleman. I want to understand this. Suppose the contract was for \$2,000,000. Up to that point the contractor would get the cost plus. If it went to \$4,000,000 he would not get the cost plus beyond the \$2,000,000, but he would get the cost of the additional two millions.

Mr. HARRISON. After he gets the commission on \$2,000,000 it does not make any difference how much more the constructions cost, he gets no compensation for it whatever.

Mr. CANNON. But he gets the cost of the extra two millions, although he would not get the cost plus.

Mr. HARRISON of Virginia. He does not get anything; the Government furnishes the cost, and his compensation for supervision of the work is the commission on the cost.

Mr. CANNON. Precisely.

Mr. HARRISON of Virginia. He has nothing to do with the cost; it makes no difference what it costs because the Government pays it.

Mr. CANNON. If it went up to \$4,000,000 he would get nothing in the shape of compensation for the extra two millions, but he would get the compensation, the 10 per cent on the \$2,000,000.

Mr. HARRISON of Virginia. If the percentage was 10 per cent?

Mr. CANNON. Whatever it was.

Mr. HARRISON of Virginia. I understand that the average compensation given to the contractors is less than 3 per cent in all the construction work done by the Government.

Mr. HELM. Will the gentleman yield?

Mr. HARRISON of Virginia. Yes.

Mr. HELM. It has been stated on the floor that there are about 2,000,000 men in the Army. In that number of men it necessarily follows that there are a large number of men from every vocation of life.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HELM. I ask unanimous consent that the gentleman from Virginia have five minutes more?

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HELM. The soldiers are used in France for construction work, constructing roads, railroads, and sent into the forests to hew timber. The point I want to get at is this: Whether out of this aggregate of two millions of men steps have been taken, or it is considered wise to undertake, to mobilize a construction force to be used in the construction of cantonments or such work as is now going on in Washington? That is to say, we have the engineers, we have the office of the Supervising Architect in the Treasury Department, we have the bricklayers, we have the masons, we have men who understand concrete and wood work; now, is it advisable or practicable, in order to get away from the extortionate and exorbitant prices that are being paid labor everywhere where there is work that enters into the cost-plus price, is it possible to organize out of these 2,000,000 men a sufficient force to do the construction work such as I have outlined, to the advantage of the United States and in the interest of economy?

Mr. HARRISON of Virginia. I will say that only in certain branches of industry are there troops specially enlisted and organized—such as for cutting timber and so forth. They have what they call the forest troops. But it would not be practicable to take men from a training for field service, develop them to serve on the battle fields of France, and then use them for construction work.

Mr. HELM. Is it not true that in France we are constructing immense warehouses, railroads, docks, and all kinds of work along that line? It occurs to me that it would be no degradation for soldiers who were brick masons and stonemasons or carpenters if they were organized into a construction force, so as to save millions of dollars that are being wasted in paying carpenters \$6 or \$7 a day, men who never used a handsaw. It looks to me like a feasible, sensible, practical, and economical thing to do.

Mr. HARRISON of Virginia. It may be that the gentleman from California can state; but I understand 40 per cent of the people carried to France are not used on the battle lines, but used for work.

Mr. KAHN. If my colleague will permit, there are special and technical troops who do the very work the gentleman from Kentucky speaks of and who are employed in doing that work in France to-day.

Mr. HELM. Why could not some of the technical troops be used in constructing the acres of buildings that are now being constructed in Washington, as well as in cantonment work?

Mr. KAHN. They are used in France altogether in doing that work of construction. It is all under the Engineer's Department. These troops have been enlisted in the Engineer's Department, all soldiers, and they are doing this very work.

Mr. HELM. If the soldiers in France are doing that work, would it be any degradation for the soldiers in the United States to do it?

Mr. HARRISON of Virginia. It would be impossible to draft men for military service and then divert them from the military training into construction work, but there are men specially enlisted into units for such purposes.

Mr. HELM. In a war of this magnitude, where construction enters into it in such enormous proportions, where an army is useless without it, is not the organization of construction forces as essential as any other force in the Army, or any other wing or branch of the Army? Would it not be a good, common sense thing and the part of wisdom to select out of these 2,000,000 men a construction force?

The CHAIRMAN. The time of the gentleman from Virginia has again expired.

Mr. SNYDER. I ask unanimous consent that the time of the gentleman be extended five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SNYDER. Will the gentleman yield?

Mr. HARRISON of Virginia. Yes.

Mr. SNYDER. Referring to the letter the gentleman has read, I take it that that refers only to the construction work of cantonments and does not apply to underwear, guns, and so forth.

Mr. HARRISON of Virginia. I have a letter from Gen. Goethals on that subject, in which he says that that form of contract is not used in his department.

Mr. SNYDER. The gentleman does not mean for us to understand that not more than 3 per cent was made on any contract, but that that was the average of all the contracts.

Mr. HARRISON of Virginia. That was the average of all the contracts. I have here the statement of the War Department that says that the average is not 3 per cent.

Mr. JOHNSON of Washington. Mr. Chairman, permit me to make a statement concerning the largest cantonment, and I made the same statement yesterday, the amount involved being over \$6,000,000. The site, three times larger than the other sites in the United States, was given by the people and amounted to \$2,000,000. The contractor was to receive an upset price of \$250,000. Certain figures were taken away from that, so that when he came to final settlement he had less than 3 per cent, out of which he paid the war tax, and when he was through all that was coming to him was much less than \$100,000.

Mr. COX. How long did it take him to do the work?

Mr. JOHNSON of Washington. Less than 90 days. He delivered the buildings ahead of time. They got so that they could raise 25 or 30 of these barracks in one day, and built them at the lowest cost of any cantonment.

Mr. COX. That is a pretty good wage for 90 days' work—\$100,000.

Mr. JOHNSON of Washington. But the contractor did not receive anywhere near that sum net. He was the chief contractor, and he put up all of the money through the cooperation of the banks, and he did not receive settlement from the Government until just a few days ago. He was not overpaid for a great and successful work. The haste required some overpayments down along the line perhaps, but when one demands haste one pays for it always.

Mr. ANTHONY. Mr. Chairman, what the gentleman from Virginia [Mr. HARRISON] says in regard to the restricted profit on the construction of cantonments may be true, but I have come to the conclusion that the adoption of the cost-plus system by the War Department and other departments of the Government has led to a veritable riot of waste and extravagance in the expenditure of public moneys in the past year. While the profits of the contractor may have been limited, the cost-plus system has enabled those contractors to pay any price they pleased for labor and materials, and in my judgment much of this cost-plus work has cost the Government 50 per cent more than it should have cost, not only in the construction of buildings, but in the various other expenditures that have been made on the cost-plus basis. I want to call to the attention of the gentleman from Virginia the fact that in the construction of cantonments, it has been shown that where contracts have been let to the lowest bidder, as they were in a few instances for cantonment buildings, the cost was from about \$70 to \$90 per capita for the men housed, and where the cantonments were let on the cost-plus system with no restriction on the cost of labor and material, it resulted in a per capita cost of from \$140 to \$200. This has been shown not only in the records of the War Department, but in the records of the Navy Department.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. MOORE of Pennsylvania. Is it possible that the President in his address to the House the day before yesterday,

referring to profiteering concerning which he had information, could have had in mind those who have been making profits on the 10 per cent cost-plus system?

Mr. ANTHONY. I am not able to read the President's mind.

Mr. MOORE of Pennsylvania. The gentleman recognizes that the President in his address did state that there was a large amount of profiteering going on, and that the departments had the data and that the information was available.

Mr. ANTHONY. The President could easily find and trace enormous waste of public money under this cost-plus system. In the investigations of the Committee on Military Affairs I for one followed that question up. When the heads of the bureaus that had in charge these vast expenditures came before us I put direct questions to them on this point. For instance, I asked Gen. Dickson, who was in charge of the vast amounts we are appropriating for ordnance expenditures, what he thought of the cost-plus system, and he said it was bad business for the Government and that he was in favor of doing away with it. That the results to the Government were not good.

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. COX. Is there anything in the pending bill that will prevent the letting of contracts in that way?

Mr. ANTHONY. There is nothing in the pending bill that will prevent it; but the gentleman from Kentucky [Mr. SHERLEY] the other day when he brought in the deficiency bill very wisely, in my opinion, incorporated a proviso that will save the Government millions of dollars. He provided that no work or contract to be made under or by authority of any provision of that act shall be done or made on or under a percentage or cost-plus percentage basis. The Appropriation Committee thereby condemned the whole cost-plus system, and that committee also provided that with any contract involving more than \$1,000, no contract should be let until at least three responsible competing contractors shall have had opportunity to bid and be considered on that contract, all contracts to be awarded to the lowest responsible bidder, the Government reserving the right to reject any and all bids. That same proviso, in my opinion, should be in this bill.

Mr. JOHNSON of Washington. Does that apply to expenditures in the deficiency appropriation bill?

Mr. ANTHONY. Expenditures covered by the deficiency appropriation bill.

Mr. MOORE of Pennsylvania. I was wondering whether the Committee on Military Affairs was leaving this matter of profiteering to the Committee on Ways and Means to be dealt with on a tax basis? It may be we will have to look into that during the consideration of the revenue bill.

Mr. CANNON. Mr. Chairman, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. CANNON. The cost-plus basis was cut out by legislation in housing people at the various factories and in the construction of houses in the District of Columbia, and that clause amended to some extent the legislation that was enacted in the bill that was reported by the Committee on Public Buildings and Grounds, and for this reason, and this reason only, it was limited to \$1,000; that when you build these houses and rent them they will need to be repaired, and it was thought this ought to be modified as to the \$1,000, so as to enable them to keep up current repairs.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ANTHONY. Mr. Chairman, I ask for five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Kansas? [After a pause.] The Chair hears none.

Mr. WILSON of Illinois. In the gentleman's opinion do not you believe that this cost-plus proposition has caused a great deal of delay in the construction of buildings and different works that have been going on?

Mr. ANTHONY. I want to say it has undoubtedly caused delay, and the only excuse for it has been the Government was laboring under an emergency and demanded action regardless of cost or price. More than anything else this cost-plus system absolutely stampeded the American labor market, causing disturbance everywhere. Perhaps the first few contracts for cantonments which were let could be justified under such a condition of emergency, but now there is absolutely no excuse for the continuation of such a system.

Mr. WILSON of Illinois. Has not the gentleman heard of instances of that kind where there has been a very great delay in the construction of buildings and plants, because it cost more and the contractor would make more out of it—

Mr. ANTHONY. I have heard all kinds of statements in reference to the cost-plus system. The charge made by the gentleman from Illinois is substantially correct.

We are appropriating eight hundred and eighty-odd millions of dollars for aircraft in this bill, which will be expended largely under the direction of Mr. Potter, who is chief of the aircraft production. Mr. Potter himself stated in the hearings, in answer to a direct question, that he does not believe that the cost-plus system is a good one. That it is bad business for the Government. I believe it would be a good policy, therefore, to get away from a system that is costing the Government millions of dollars in waste and extravagance and that future contracts should be let upon a practical business basis.

Mr. GRAHAM of Illinois. Will the gentleman yield?

Mr. ANTHONY. I will yield.

Mr. GRAHAM of Illinois. I am interested in what the gentleman is saying about the cost-plus proposition as compared with contracts for the cantonments. Are there any figures available to the Members of the House that show that situation?

Mr. ANTHONY. I will say to the gentleman that in the hearings published from the Naval Committee, under the head of "Cantonment construction for the Navy," figures are there given which show the per capita cost of such construction for the Navy under the cost-plus system runs about \$180 to \$190 per capita, and under the contract system—they let a number by contract—they cost \$80 or \$90 per capita. The only cantonment I know of which was let by the Army authorities on a contract basis cost \$70 per capita, whereas the figures under the cost-plus system for all these other cantonments run up to nearly \$200 per man in some instances. It is interesting to note that in the first estimates presented to our committee by the War Department for housing the first million men of our new Army the per capita cost in these estimates was \$40 per man. It surely must be a wasteful and extravagant system which runs this cost up 300 per cent or more in many instances.

Mr. KAHN. Mr. Chairman, in regard to the expenditure of money appropriated for aviation, part of it will be expended by Brig. Gen. Kenley, the Chief of the Division of Military Aeronautics, and part of it by the Division of Equipment of the Signal Corps. Gen. Kenley will have charge of the payment for construction of camps, aviation fields, the salaries of employees, and officers in the Aviation Section. Mr. Potter's division will have charge of the expenditures for the construction of aeroplanes, balloons, dirigibles, and the necessary machinery for operating those aeroplanes and balloons.

Mr. DOWELL. Will the gentleman yield?

Mr. KAHN. I will.

Mr. DOWELL. Will the gentleman give the committee what proportion of this appropriation will be used for the construction of aeroplanes?

Mr. KAHN. Oh, a very large proportion of the amount will be used for the construction of aeroplanes.

Mr. SHALLENBERGER. If the gentleman will permit, I have here the exact item, and I will give it. It is \$668,534.436 for aeroplanes and plane engines alone.

Mr. DOWELL. That is for construction?

Mr. SHALLENBERGER. For construction of aeroplane engines.

Mr. KAHN. Now, in regard to the matter of the Aircraft Board that has been referred to so often in this debate, they have made mistakes in the past; there is no doubt about that. But when it was announced to the country that business men of the ability and standing of Mr. Coffin, of Mr. (now Col.) Deeds, of Mr. (now Col.) Thompson had been appointed to that board there was general satisfaction expressed in the press of the country and by the people of the country because those men were recognized successful business men. They had made a success of their own affairs, and it was believed that by patriotically coming to the assistance of the Government in this emergency they were doing a laudable and patriotic thing. Of course, the House and the country were led to believe that we would have an immense number of flying machines by the 1st of this July. The War Department itself gave out the statement that we would have 22,000 machines by the 1st of this coming July, and members of the Committee on Military Affairs believed the statements which were made before the committee. They had no reason to doubt those statements, and I honestly believe that the members of the Aircraft Board thought it would be possible to turn out that number of machines.

Mr. COX. Will the gentleman yield?

Mr. KAHN. I will.

Mr. COX. About how many will we have by the 1st of July?

Mr. KAHN. We have over 5,000 now.

Mr. COX. Have we them in France?

Mr. KAHN. We have a goodly proportion of them in France.

Mr. COX. I have seen so many reports I would like to have some one state somewhat authoritatively.

Mr. KAHN. We went over that yesterday, if the gentleman will look at the RECORD. There are over 1,300.

Mr. DENT. Thirteen hundred and sixteen and 323 combat machines.

Mr. NOLAN. Will the gentleman yield?

Mr. KAHN. I will.

Mr. NOLAN. How many of them were built in this country?

Mr. KAHN. Those in France?

Mr. NOLAN. Yes.

Mr. KAHN. Nearly all were built abroad—in England and in France. I should say there are about 30 planes over there now which were built in this country?

Mr. NOLAN. Developed and built here?

Mr. KAHN. Yes.

Mr. NOLAN. And the rest have been built in France?

Mr. KAHN. And England. That is quite right.

Mr. DOWELL. Will the gentleman yield for another question?

Mr. KAHN. Yes.

Mr. DOWELL. What are the prospects now in this department for turning out these planes? What does the gentleman believe from investigation as to what we may expect from this department in the near future?

Mr. KAHN. I believe that the construction is proceeding very satisfactorily at the present time and that there will be a constantly increasing number of planes and engines every week from now on.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SHALLENBERGER. Mr. Chairman, I wanted to bring out a little more, if I could, for the information of the committee, something in reference to the number of aviators that we are providing to operate the airplanes. The gentleman from New York [Mr. HUSTED] questioned the reason for the closing of the aviation schools to cadets. The gentleman from California [Mr. KAHN] brought this matter to the attention of Col. Arnold when he was before the committee, and asked him for the reason, and he replied that they have now 11,000 fliers and cadets training in the aviation schools, and when those aviators who are now in training in these schools are qualified and certified as fliers, we will then have enough fliers to require at least 40,000 or 50,000 aeroplanes, because it takes three or four aeroplanes to back up each flier. So with the present prospect for machines, we have now in training vastly more fliers than we can supply machines for.

Then, also, as to the number of enlisted men in the aviation department: The authorized enlistment was 120,000 men. They already have 138,000 men. This Aviation Service has been the most attractive service, apparently, of any in the Army. Men were anxious to get commissioned in the Aviation Service, which is an attractive thing for young men, because it is dangerous and the best paid service of all of the corps of the Army. Until a recent order of the War Department, a man, as soon as he was commissioned as a flier, received a commission as first lieutenant. Then he received, if he was a junior military aviator or reserve military aviator, an additional increase of 50 per cent in his pay. So the young military aviators coming into the service received pay equal to that of a lieutenant colonel of the Regular Army, although the lieutenant colonel of the Regular Army may have served 30 years in the Army.

This service was tremendously attractive to the young man. The aviator's service at the front is vastly different from that of other men in the Army. The Infantry and Artillery are in the front of battle, in the trench, and in the mud, and they have little opportunity to sleep when on active service, and that sleep is often in the mud and amidst the din of battle. The infantryman toils through the day and the night with his equipment on his back; the aviator and those who have charge of the machines that supply the aviator are miles in the rear, sometimes even out of the sound of the great guns. They have their quarters in which to sleep. They have the most desirable service, so far as the personal comfort of the soldiers is concerned, of any soldiers in the Army. So, because of the attractiveness, the better pay, the fact that the eyes of the world are on the service, young men came rapidly into the service. They closed those aviation schools because they had more aviators in training than there was any possibility of finding planes for. What we need most now is men in the Infantry and Artillery, who fight on the ground, and who must finally win battles. Because of the fact that the aviation service was attracting more men into the service than could be used at present, the department has closed temporarily entrance into that service.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. SHALLENBERGER. Yes.

Mr. MOORE of Pennsylvania. How many men does it take to care for one aeroplane?

Mr. SHALLENBERGER. About 20 men.

Mr. KAHN. I think the testimony before the committee was that it required 30 men, but that they hope ultimately to cut that number down.

Mr. SHALLENBERGER. To 20. I think the gentleman is right.

Mr. MOORE of Pennsylvania. What is the average cost, if the gentleman can tell us, of an aeroplane—of a fighting machine?

Mr. SHALLENBERGER. We have different prices here. They run all the way at present from \$5,000 to \$10,000, according to the cost of the engine, largely.

Mr. MOORE of Pennsylvania. The gentleman's plea for the increase of the Infantry and Artillery appeals very strongly to me, and impels me to ask this question, which has frequently flitted through my mind in the consideration of this aviation question: After we have built the machines, after we have made all this expenditure upon them, after we have paid the flier this high salary, equal, as the gentleman indicates, to the pay of a lieutenant colonel in the Army—

Mr. SHALLENBERGER. That has now been changed. They only get commissions now as second lieutenants, but up until the 1st of January they were commissioned as first lieutenants; but they still get increased pay, also.

Mr. MOORE of Pennsylvania. After we have employed 30 other men to take care of the flier and his machine, what is the net result of the use of the machine except the killing of one man up in the air?

Mr. SHALLENBERGER. In my judgment the use of the aeroplane is largely to furnish eyes for the Army. It is as essential as any other corps of the service.

Mr. MOORE of Pennsylvania. It is exceedingly important as a matter of scouting work, I concede.

Mr. SHALLENBERGER. But we can not win the war with eyes only.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOORE of Pennsylvania. Mr. Chairman, I ask unanimous consent that the gentleman from Nebraska have five minutes more.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent that the gentleman from Nebraska have five minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. MOORE of Pennsylvania. It would appear that the expense of the organization and the maintenance of one machine is very extensive.

Mr. SHALLENBERGER. But very essential.

Mr. MOORE of Pennsylvania. It takes a great deal of time to get ready. We will concede, for the purpose of argument and as a matter of fact, that as an eye of the Army the machine is of great value; but what is its actual value as a fighting machine, relatively? It kills one man if it comes in contact with the enemy.

Mr. SHALLENBERGER. My judgment is only that of a private citizen and not that of a military man, but I think that up to date the actual fighting of the aeroplane as directed against an opposition army it is very limited. Occasionally opportunities occur for these men to attack from the sky the men upon the ground and effect some loss of life; but so far as the actual field fighting is concerned or being able to drive the other army from the field, I do not think that Army men claimed that the Aviation Service attempts or expects to do that at all.

The CHAIRMAN. To whom does the gentleman yield?

Mr. SHALLENBERGER. I will yield first to the gentleman from Vermont [Mr. GREENE].

Mr. GREENE of Vermont. Modern artillery operations are almost impossible under certain conditions there on the western front without observation planes spotting the fire of the opposing batteries and giving information as to their location. They hover over that part of the German lines which is the objective and signal back to the artillery several miles in the rear as to where the shot went and where to place the next shot. That is taking the place the captain would have in the observation trench.

Mr. MOORE of Pennsylvania. Is that what you call scout duty?

Mr. GREENE of Vermont. That is strictly combat work.

Mr. KAHN. If my colleague will remember, the testimony before the committee was that the airplane does a great deal of bombing work and destroys the airdromes of the enemy, the ammunition dumps of the enemy, the transport trains, and does all kinds of damage, which makes it exceedingly hard for the enemy to continue his operations.

Mr. SHALLENBERGER. I think it could be stated fairly, as the gentleman from California has so well said, that the

aviation department of the Army is absolutely essential to the Army. It has its particular province to perform, and because it was new and so essential our War Department offered special and attractive inducements to get young men to go into that service. And the point I want to make and call to the attention of the House is that the War Department has temporarily stopped these young men coming into the Aviation Service for the reason that it has at present and in training as many of these men as it could possibly use, and in order not to have a superabundance of those men, and in order to have these young men go into other branches of the service, they ask them to go to other schools.

Mr. HUSTED. Mr. Chairman, will the gentleman yield?

Mr. SHALLENBERGER. Yes.

Mr. HUSTED. It was brought to my attention that a number of student aviators who enlisted under an understanding with the Government that they would receive commissions as first lieutenants were not in fact commissioned as first lieutenants, but as second lieutenants. I think an order was issued to the effect that all students in ground schools who did not complete their ground training before October 20, 1917, or, if in the flying school, should not complete their training and qualify before December 20, 1917, they could only be commissioned as second lieutenants, notwithstanding the fact that the Government practically entered into a contract with them by the terms of their enlistment that they would receive commissions as first lieutenant if they qualified in due course. Now, it seems to me that this was an injustice to those young men, and that something should be done to right that injustice.

I have the case of a young man who passed a very brilliant examination in the ground school, who went to a flying school, but who was unfortunate enough to be located in a flying school where there was a very inadequate number of planes, and he failed to receive his commission as first lieutenant. But there were other men who enlisted after he did who did not certainly do any better work in the ground school than he did, and who were fortunate enough to get into flying camps where there were more flying planes in proportion to the number of students, and who did receive commissions as first lieutenants.

The CHAIRMAN. The time of the gentleman from Nebraska has expired.

Mr. SHALLENBERGER. Mr. Chairman, I ask for five minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. GRAHAM of Illinois. Mr. Chairman, will the gentleman yield?

Mr. SHALLENBERGER. I yield.

Mr. GRAHAM of Illinois. I have observed quite a number of young men who have enlisted in the Aviation Section of the Signal Corps who have not been called to the training schools. Does the gentleman know from any information he has whether it is the purpose of the department to call all those young men who have already enlisted in that department for training as fast as they are needed?

Mr. SHALLENBERGER. I think they will be called as fast as they are needed. I think the reason they have not been called so far is because they have already enough in training in proportion to the number they need.

Mr. GRAHAM of Illinois. These young men are of draft age and registered, and it sometimes causes confusion between the draft and their enlistment in the Aviation Section. That is the reason why I inquired about it.

Mr. SHALLENBERGER. Of course, that is a matter of administration, resting with the department, and they will have to administer that in the Army and for the country as best they can. Those young men and all other young men must take their chances. It is one of the incidents of war. The department will do the best it can under the circumstances.

Mr. LOBECK. Mr. Chairman, will the gentleman yield?

Mr. SHALLENBERGER. Yes.

Mr. LOBECK. Instances have been brought to my attention where men have taken the training and were promised commissions as second lieutenants and have not received them yet. Does the gentleman know anything about that?

Mr. SHALLENBERGER. I am not informed as to that. That is a matter of administration in the department.

Mr. LOBECK. I was told that the reason why they did not get their commissions was that they did not have artillerymen enough, and that there was a necessity to have artillerymen of equal number to accompany them.

Mr. SHALLENBERGER. We can not win the war merely with aviators. We have to have artillerymen and other men in other arms of the service. As to the case mentioned by the gen-

tleman from New York [Mr. HUSTED], there was no contract made by the Government. That was a rule or practice in the service. They went into the service with the hope that they would be made first lieutenants.

But when the service came to be expanded in Europe it was soon ascertained there that service in the Infantry was more dangerous than that in aviation, and consequently the idea of giving the aviators favors that were not given to the other arms of the service was working to the disadvantage of the morale of the Army. The men who had to go into the trenches night and day and stand there in the mud claimed that they served in a branch of the service which was just as dangerous as the service of the aviator, and that they were entitled to the same pay and consideration that others were entitled to; and so in the interest of the service and in the interest of winning the war those in charge of our affairs in Europe made the request to the War Department here that those young men should be given commissions as second lieutenants instead of commissions as first lieutenants, so that these young men are being treated exactly the same as the young men in the Artillery and in the Infantry and in the other corps of the service. Nevertheless they still get additional pay that the others do not get. They have a favored service, and receive better pay, and they have their air-service clothing furnished to them. In all they are the preferred service of the Army.

Mr. HUSTED. Mr. Chairman, will the gentleman yield again?

Mr. SHALLENBERGER. I yield to the gentleman from New York.

Mr. HUSTED. Is the gentleman aware of the fact that the enlisted men I have referred to signed applications in an application form issued by the War Department for commissions as first lieutenants?

Mr. GORDON. Lots of them signed applications for commissions as first lieutenants.

Mr. HUSTED. And these applications were accepted. I would like to ask the gentleman if he thinks it is a wise policy to encourage these young men in that way to enter the service, whether they have a legal contract or not, who enter with the clear understanding that if they qualify they are to be commissioned as first lieutenants, and then when they are accepted they are cut down to second lieutenants?

Mr. SHALLENBERGER. I think every one of them ought to be glad and proud to serve as an infantryman, artilleryman, or in any other corps of the Army. I do not think there ought to be favor shown to any branch of the service. [Applause.]

Mr. DENT. If I may interrupt the gentleman there, I will state that we had this matter up before the committee and called the attention of the Signal Corps officers to this so-called pledge that has been made. Who was authorized to bind the Government of the United States by a promise to give a man a commission? The answer is that nobody was authorized to do a thing like that.

Mr. GORDON. And nobody has ever done it.

Mr. DENT. Unless some recruiting officers, in their zeal, may have led young men to believe they would get something which they were disappointed in getting. But nobody has any authority to bind the Government by any such pledge as that.

Mr. GORDON. Mr. Chairman, I ask unanimous consent to proceed for 20 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. GORDON. Mr. Chairman, the enormous sums carried by this measure for the support of the Military Establishment for the year ending June 30, 1919, exceeding as it does in amount any proposition ever submitted to this or any other legislative body, would seem to demand a much more comprehensive and detailed statement from the Committee on Military Affairs than it has been possible to furnish the House. The hearings before our committee were, at the request of the Secretary of War, held in secret, the reasons assigned for such secrecy being that to make public the facts elicited at the hearings might aid and assist the enemy, and witnesses were reluctant in some cases to answer questions propounded by members of the committee, assigning the same reason. Much as the committee may have differed from the Secretary of War, it felt bound to respect his wishes on this subject, and but for a change in attitude in the past few weeks the committee would not have been at liberty to give the House the information contained in its report and disclosed on the floor by Members on the first day of discussion in the consideration of the bill.

The enormous lump-sum appropriations made last year, carrying as they did a repeal of every limitation and restriction imposed by law upon the expenditure of the money, would seem to justify the House in demanding of the committee a strict

accounting as to the manner in which these enormous sums have been expended or obligated.

In addition to the reason already given, there are others which are patent and obvious why this can not be done. Our Army in the field is 3,000 miles away, across the ocean. Requisitions from Gen. Pershing must be promptly complied with, or the money supplied with which to purchase them, and the officials of the War Department here must comply promptly with these requests and have no discretion in the matter.

After a preliminary inquiry made by the President of the United States a few months ago into the reasons for the failure to deliver aeroplanes under contracts made with the Government, the President ordered the Attorney General of the United States to institute and prosecute a complete and thorough investigation of the whole aeroplane program, including the contracts made and money expended thereon, and appointed ex-Justice Hughes as special counsel to conduct the investigation. After this action had been taken it would have been obviously improper for the committee to attempt to cover any part of the field comprehended by this special investigation, and it has not attempted to do so. The House and the country may, and I believe will, repose trust and confidence in the honesty, thoroughness, and impartiality of the investigation instituted by the Chief Executive and suspend judgment concerning the men and matters involved until the same has been completed and a report made. The necessity for appropriations this year can not wait upon a determination of the question of whether the money formerly appropriated was expended properly or not. Indeed, if it had all been wasted or stolen, Congress would still be under the imperative necessity of appropriating all that it believes will be required to provide this branch of the military service with the men and equipment to properly and effectively prosecute the war, and upon so new and technical a branch of the service as this your committee and the Congress are and will be constrained to accept the opinions of the Executive and his military advisors.

There has never been a time in the history of this country when the public interest so imperatively demanded the service and sacrifice of unselfish patriotism as the present. The vital energies of the people are being diverted and weakened by the mouthings and ravings of the "patrioteer" and the "profiteer." The motives of both are generally the same.

On April 6, 1917, Congress adopted a joint resolution declaring that, by reason of the repeated acts of war upon the people and Government of the United States by the Imperial German Government, a state of war existed between Germany and its people and the people and Government of the United States.

A recitation of these acts of war, the sinister, deceitful, and disgraceful misrepresentations which characterized the diplomacy of the Imperial German Government in negotiations with our own for nearly two years preceding our declaration, is wholly unnecessary except to say that all of them were in entire accord with the traditional foreign policy of the Hohenzollerns as defined by Frederick the Great, when he declared that he employed no ministers of state at home except clerks and none abroad except spies. Our declaration of war was a statement of fact, the truth of which none now seriously attempts to controvert or deny.

The union of the German States, followed by nearly 50 years of the iron rule of the Hohenzollerns, with universal compulsory military service in time of peace, rigorously enforced and financed by a rapacious system of taxation, supplemented by the enormous indemnity in money and land extorted from France at the close of the Franco-Prussian War, has produced the natural and logical result. It has converted the people of Germany into two distinct classes, masters and slaves, and has destroyed the soul of that nation. Disregarding and violating its treaties with practically all the civilized nations and every just and humane rule and established precedent of international law, this military autocracy, under the leadership of the Hohenzollerns, is striking at the foundation and reaching for the pillars of civilization. "What shall it profit a nation to gain the whole world and lose its own soul?"

In the light of all the facts no American citizen may now properly entertain the slightest doubt of the justice and necessity of the declaration by Congress of a state of war with Germany, solely as a result of the acts of the Government and rulers of that country prior to April 6, 1917.

Three vital questions which engaged the attention of Congress prior to our declaration of a state of war were—

(1) The prohibition against our own citizens of their unquestioned right to sell to any or all belligerents in our own markets arms and munitions of war. This question never came up on the floor of the House, because no bill to impose

such prohibition was ever reported; but in letters to all of my constituents who wrote me on the subject I opposed the proposition and gave my reasons for such opposition.

(2) The proposition of withdrawing, suspending, or surrendering the lawful rights of our citizens upon the high seas was opposed by me in every form in which it was presented.

(3) When the President of the United States asked for authority and an appropriation of money with which to defend merchant ships flying the United States flag against unlawful attacks upon the high seas, I spoke and voted for the resolution granting this authority and appropriating the money to enforce it.

In his letter to Joseph E. Davies, candidate for Senator in the State of Wisconsin, on March 20, 1918, President Wilson said of and concerning these three questions:

The McLemore resolution, the embargo issue, and the armed neutrality measure presented the first opportunity to apply the acid test in our country to disclose true loyalty and genuine Americanism. It should always be a source of much satisfaction to you that on these crucial propositions you proved true.

The votes cast by me in this Chamber and the remarks made by me on the floor of this House have been willfully misrepresented by the Cleveland Plain Dealer, Cleveland News, and Cleveland Leader for the purpose of discrediting me before my constituents. These newspapers have repeatedly charged that I have obstructed war legislation. This statement is a willful and malicious falsehood and not supported by a scintilla of evidence. I call upon the membership of this House to bear witness that since I have been a member of this body I have not only not obstructed any legislation but have tried in every way in my power to facilitate the proper disposition of every measure which has come before it for consideration.

The statement has been repeatedly made in these Cleveland newspapers that I opposed the declaration of war, although I voted for it.

On April 8, 1918, the Cleveland Plain Dealer says of and concerning me:

From the beginning of America's controversy with the German Imperial Government these two sixth city Democrats have done about everything in their power to hamper their own Government.

The controversy with Germany resulting from the destruction of the *Lusitania* arose on May 7, 1915; it was finally ended by the pledge of the German Government, about one year later, to obey the law as to merchant ships. This pledge was withdrawn January 31, 1917, and was followed by the armed-ship resolution and later by a declaration by Congress of a state of war with Germany on April 6, 1917. If, as the Plain Dealer now says, I was "hampering" the Government of the United States in the controversy with the Imperial German Government, from the beginning of that controversy, why did not the Plain Dealer discover that fact or why refrain from saying anything about it until the spring of 1917? Why did not the Plain Dealer expose me to my constituents before my last reelection instead of supporting me? Why did they not support my Republican opponent, as the leading German-language newspaper in Cleveland, whose editor is now in an enemy alien internment camp, did? Why did the Plain Dealer say, in an editorial on October 31, 1916, of and concerning me, the following:

The Plain Dealer, however, never doubted either the Congressman's honesty or his courage; nor has his ability been at issue, for foes as well as friends recognize it.

The Plain Dealer believes now that the best interests of the twentieth district and of the country at large, so far as one Member's identity affects it, will be promoted by the reelection of Gordon.

I have voted for every proper measure to provide the men and money and mobilize the resources of the United States for the successful prosecution of this war and shall continue to do so while the war lasts and I remain a Member of this body. [Applause.] The legislation which I opposed was directed against the citizens of the United States and not against the public enemy. At the commencement of each of my three terms of service in this House, I have solemnly sworn that—

I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion, and that I will well and faithfully discharge the duties of the office on which I am about to enter, so help me God.

The foregoing oath of office defines and points out the primary duty of Members of Congress and all others are dependent upon and secondary to it.

I opposed the measure to conscript the bodies of our citizens into the military service without first affording them an opportunity to volunteer in the National Army, the reasons for my opposition being stated in a speech delivered on the floor of this House, a copy of which was mailed to each of my constituents. I have opposed and shall continue to oppose any legislation which invades the constitutional rights and liberties of our citi-

zens to properly exercise freedom of speech and of the press, my reasons for which were stated on the floor of this House and also to my constituents. Of more than 100 war measures enacted by Congress since the declaration of war I have opposed the enactment of but two—the draft law and the espionage act—and this opposition was directed solely and entirely to certain provisions in the bills which I believed to be unwarranted or direct invasions of the constitutional rights of our citizens. The persistent attempts which have been made by a portion of the public press—including the three newspaper I have named—and by many individuals to incite acts of mob violence and to stir the ignorant and lawless to invade the rights of unoffending and law-abiding citizens since our declaration of war is a disgrace to our common country, its history, and institutions. The protection which our flag has afforded to the downtrodden, oppressed, and persecuted citizens of all lands has always been the proud boast of American citizens. [Applause.]

This lawless crusade has resulted in the persecution and lynching of innocent, law-abiding men by irresponsible and lawless mobs; the only imputation of guilt, in some cases, against these people being that they happened to bear German names.

Every fire of unknown origin and every act of violence of which the perpetrator is unknown is ascribed to alien enemies or to their sympathizers by these inciters of riot and mob rule.

On April 12 last the Attorney General of the United States wrote a letter to a Member of this House, which was published in the CONGRESSIONAL RECORD, in reply to these incendiary reports referred to, in which Attorney General Gregory said:

The public assumes that there is a great deal of enemy activity going on in this country, and it is but natural that vague rumors are magnified into definite and sensational stories. The talk of damage done by enemy aliens in causing incendiary fires is an illustration of this. Repeatedly, both in reputable newspapers and in publications gotten out by citizen societies, exaggerated statements are made as to the amount of damage. Statistics show that, considering the vastly increased value of merchandise and plants, the actual fire loss to property of all descriptions in 1917 was not appreciably larger than that of the year 1913. Likewise, the report recently made by the National Board of Fire Underwriters shows, in substance, that during the past year not one fire has been clearly proven to be the work of alien enemies, and at a recent conference in the Treasury Department of all the men in all departments charged with protection of plants and supplies, it was stated without dissent that no instance was known of a fire caused, within the past year, by alien enemies.

Here is an official statement from the head of the Department of Justice of the United States which effectually places the stamp of falsehood upon the sensational stories which have been published in the past year in the public press throughout the country and which have formed the basis of inflammatory statements and wild rumors, which have been utilized to incite the ignorant and vicious against innocent and unoffending persons. The world-wide condemnation of the Imperial German Government for its willful disregard of the recognized usages of civilized warfare and the lawful rights of neutral nations and their citizens has been fully warranted and finally forced this Nation to recognize a state of war as a result of these lawless assaults upon our citizens and Government, but the American people and their officials should realize that in a time like this a special obligation rests upon all to protect the humblest law-abiding citizen in the exercise of his just rights. If the substitution of force or mob rule for a government of law is to be sanctioned by public officials, or even by public sentiment, those characteristics of American democracy which have made this Nation worth living in, fighting for and dying for, will have passed away. In some of the Western States the governors have prohibited the holding of public meetings for discussion of public questions, have invited unlawful assaults upon such meetings by their proclamations, attempting to withdraw the protection of the laws from persons so assembled, thereby inviting and inciting the vicious and criminal elements to commit assaults upon them.

In one case the governor of a great Western State called out the militia of the State to disperse a public meeting, but failed to get the troops there in time, and the meeting was held in spite of him, under the protection of the local authorities; none who attended or spoke at such meeting has been arrested or charged with doing or saying anything unlawful, so that we may assume that the meeting was a perfectly lawful assembly and entitled to the protection of the guarantees contained in the State and Federal Constitutions.

A measure was introduced in the United States Senate which was prepared and advocated before a committee of that body by an Assistant Attorney General of the United States, which provided for the trial of citizens in civil life by military courts, although the Constitution of the United States provides that no person who is not in the Army or Navy shall be tried on a charge of crime except by a jury and in a civil court, a powerful lobby was here in Washington advocating the enactment of this measure, and it would probably have been enacted if its

provisions had not been exposed to public view, when it was repudiated by the Attorney General, who declared that it was prepared and presented to Congress without his knowledge or consent, and it was then publicly denounced and condemned by the President of the United States.

The present attitude of the Cleveland Plain Dealer, Leader and News toward me is unquestionably controlled in large part by the financial interests of these publications.

Under the 1-cent-a-pound rate on second-class mail matter, these newspapers have been carried through the mails and delivered for more than 33 years at an enormous and rapidly increasing loss to the Government, which loss has amounted to more than two and one-half millions of dollars for the nine years ending June 30, 1917. The post-office authorities estimate that for the fiscal year ending June 30, 1917, the cost of this service to the Government furnished the Plain Dealer was \$202,983.39, and for this service the company actually paid \$28,010.35, making a net contribution by the people of the United States to the Plain Dealer Publishing Co. for one year of \$174,973.04. These facts are uncontroverted, and have never been denied by them. This disgraceful and scandalous rate of postage of 1 cent per pound upon newspapers and magazines, under which for more than 33 years the publishers have had the profits accruing from transporting and delivering their publications for less than one-eighth of the actual cost to the Government will always remain a blot upon the record of the American Congress, and I take more pride in whatever aid and assistance I have been able to render in exposing and abolishing in part this scandalous graft and subsidy than in any other public service I may have rendered. The cost in money of this subsidy during the 33 years it has been in force is enormous, amounting in the aggregate to about thirteen hundred millions of dollars, but this money loss is trifling when compared with the indirect but no less certain loss to the people of the country in the debasement and demoralization of the literature of the Nation. [Applause.]

Mr. McKENZIE. Mr. Chairman and gentlemen of the committee, I want to say a few words in connection with this bill and then I want to make a few general observations, perhaps that are not so pertinent to the bill we are now considering. I want to say, in the first place, as one of the minority members of the Committee on Military Affairs, that I wish, as a member of that minority, to express to the chairman of our committee our gratitude and thanks for the gentlemanly way in which he has treated the minority members in the consideration of this great bill.

I want to say one other thing, and that is that while perhaps many of us on that committee are not ignorant of the winding paths that lead to the spotlight of publicity, the committee has scrupulously, as a committee, kept out of that limelight. For that reason, perhaps, we have been criticized to some extent. It may have been said, and perhaps with some truth, that either the members of the Committee on Military Affairs in the House were ignorant of what was going on in the country and in the War Department or they were too modest to say anything about it. I want to say, gentlemen of the committee, we are not troubled with modesty, and we believe that we have had our share of the information that rightfully should be given to any Members of Congress; but we have felt that it was not the duty of the members of that committee, while considering the great appropriations for the maintenance of the Army for the next year, to stand on the street corners and publish as authentic every statement that might have been given to us in confidence as members of that great committee. There are no facts that we have that Members of Congress do not know generally, and there is no information we have that would injure any American citizen or, in my judgment, would give aid or comfort to the enemy. But as a matter of common prudence, decency, and modesty, we have tried to refrain from making the hearings before our committee a public matter until the time came for discussion of the bill.

I was one of those appointed on the subcommittee on the matter of aeroplanes and the Signal Corps in the Army. We proceeded to get such information as we could relative to the expenditure of the \$640,000,000 appropriated last year and what they expected to do with the vast appropriations we are now making. While that information is not in detail, it is sufficient to convince the most of us that no real criminal misconduct has been indulged in by the officers in the Army charged with the expenditure of this great amount. It may develop that such has been the case, but I hope as an American citizen that such will not be the fact.

I am one who has never been carried away with the enthusiasm of many people in respect to the aircraft program. I did not yield to the newspaper arguments prior to the enactment of the appropriation of \$640,000,000 that if we would only give that to

the Signal Corps they would blind the enemy; that they would put out the eyes of the enemy, and with the aeroplanes we would win the war. I was not convinced that that could be done.

I am still unconvinced; and I have back of me the testimony of one of the great officers of the United States Army, who said only a few days ago that that is an impossible thing to do. It is absolutely impossible to blind the enemy; yet the newspapers of the country heralded everywhere the claim that if Congress would only furnish the money, with aeroplanes we would blind the Germans and win the war, and for that reason the people based a great deal of faith upon the appropriation of that vast sum of money and expected wonderful results. Those results were promised by the men who came before our committee and the men who wrote the articles for the magazines of this country predicted great results, but the truth about the matter is that it is simply an illustration of the old cross-country circus. The billposters overadvertised the show, and the men who did the advertising, just as in the case of the circus, were not the men who could perform the acrobatic stunts and deliver the goods when the show came along.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. McKENZIE. Mr. Chairman, I understood I was to have 20 minutes, as did the gentleman from Ohio [Mr. Gordon].

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to proceed for 15 minutes more. Is there objection?

There was no objection.

Mr. ANTHONY. Mr. Chairman, will the gentleman yield?

Mr. McKENZIE. Yes.

Mr. ANTHONY. Will the gentleman tell us whether the same men who did this advertising were intrusted with the expenditure of the \$640,000,000?

Mr. McKENZIE. I will say this, that the Chief of the Signal Corps was one of them, and he is an officer that I think we all like.

Mr. ANTHONY. I refer specifically to the planting of that article in the Saturday Evening Post, by Sam Blythe, which, it was stated, was done on direct orders from officers of the departments.

Mr. McKENZIE. I have no information about the fact, but I have no doubt that probably that article was inspired. The truth about it is that even the Army officers were deceived, in my judgment. The optimism of the men behind this aircraft program was something that would carry away everyone except the most incredulous. I happen to be one of those incredulous ones; and I feel now and I warn my countrymen not to place too much faith even on this billion dollars which we are about to appropriate for aircraft, because it will not win this war.

It will help; it is an incident; it is one of the instruments we must have for our Army and for its protection in the matter of reconnaissance, but the only way that we can ever defeat the mighty German Army is not with any psychology or with any kind of new invention, but it is with cold steel on the plains of Picardy and in Belgium and in northern France. [Applause.] The cannon and the rifles and the machine guns in the hands of fearless men, who fear not to look a German in the eye with loaded gun in hand, must win this war, and in no other way can it be won.

I might say that we cut down this appropriation from two to three hundred million dollars. For example, in order that no one may criticize the committee for cutting down the estimates made by the Signal Corps, I want to say that they had an estimate of one hundred million dollars and odd for machine guns. We transferred that to the Ordnance Department, where it properly belongs. They had \$7,000,000 for the purchase of land, and we struck that out upon the theory that they have three-year leases on all of the land and options to buy at a fixed price. We felt that at this time it would not be wise to engage in the purchase of land, but they would better wait until by experience they find out which is the better place to buy. We cut out \$1,000,000 for the permanent coastal stations for two reasons: First, we did not feel that our committee had jurisdiction of the matter; second, this is not the time to go into permanent constructions of stations of that character. We did that as to the Mexican border. We cut down the appropriation for Hawaii, and we cut down to some extent the appropriation for Panama. I say this so that you will understand why it is that we cut down these appropriations from the estimate made by the Signal Corps.

I want to say that I do not wish to indulge in criticism to any great extent, but there are some things I think deserve a fair statement, and one of them is that, whether it was deliberately done or unconsciously done, the American people were

deceived by the men behind this aircraft proposition, and the people have found out now that plans on paper will not make engines or machines. It is only the skilled hand of the artisan that can turn out these things. The American people have found out now, after months of perhaps wasted time, or partially wasted time, that they must get right down to the common-sense plan of going to the men who know how to do these things and having them done by the actual artisans and workmen of the country rather than by a board of specialists and scientists who may be able to plan the most colossal schemes but can not execute them. This is where we find ourselves to-day, but it is not all dark, for the machines are being made, and I have an abiding faith in the ability and genius of the American people to even make a success out of this belated aircraft program as they have made a success out of many other things pertaining to the maintenance and support of our great armies.

One thing I might say in passing, because I felt at the time that it was a great mistake in our War Department, and that was the calling out of the men into the camps last winter, spoken of by some man yesterday, before they had clothing to keep them warm. I can not conceive of any excuse for that kind of mistake. I have no excuse to offer for the men responsible for it, notwithstanding the fact they stated before our committee that as a military proposition it was the right thing to do. I prefer to stand by Gen. Sharpe's statement. When asked about it, he said it was not for him to say, but he believed the right thing to do before calling out an army was first to provide the things for the equipping and taking care of that army. It has been done since, and, thanks to the ingeniousness of the American citizen, to-day we are prepared to take care of all the boys we want to call into the Army, but the men who called those young boys from their homes last winter into the cold, cheerless camp, perhaps without the necessary warm clothing, in my judgment have got something to answer for to the people of this country. But be it to the everlasting credit of the soldier boy who was called, but few murmurs were heard from them. [Applause.] They treated the matter as soldiers. We on the Committee on Military Affairs have had our attention called to many things of course that disturb us, and one of them that has caused a great deal of disturbance is the question of the commissioning of civilians in the Staff Corps of our Army. I realize that it is necessary to have them, that some of the greatest men of our country have been commissioned in those staff corps, and they are needed there, but the thing that strikes home to the heart of the man who loves a real soldier is to see these men, who are no more soldiers than you and I, no more soldiers than the boy who follows the plow, or the miner who goes down into the shaft, wearing the uniform of a soldier of the Army of our country. I know that it has been criticized, and I believe justly so, not in the regular organization, because the man who gives his life to his country in the Regular Army should be entitled to wear the uniform of the country at all times and all places, and I am not unfamiliar with the argument that is made for the commissioning and the giving of the uniform to those men who come from civil life into these staff corps offices in the city of Washington, and there is some force to the argument, but after all I feel sorry for those men. The remorseless pen of The Adjutant General will keep the record of every one, and his record is written there, where he goes, what division he was in, where he spent his time while in the Army. No man knows better than those gentlemen whom we meet on the street clad in an officer's uniform that they are not soldiers. When they meet a private on the street with bronzed and ruddy cheeks, ready to go across to where the smoke of conflict rolls, that man knows in his heart that he is not a soldier, that the private that he meets upon the street is the real soldier. [Applause.] And I hope, my fellow countrymen, that the time will come, with all respect to those men, when there will be a regulation in our Army that none but a soldier shall wear the insignia of the man who has to do and to die. [Applause.]

But I want to call attention to another thing. We know some of them say they would like to go to France. Yes; they tell us that, and no doubt many of them would, but they knew before they donned the leather leggings and the cap of an officer that the pathway to France was open in the Artillery and the Infantry, but they did not seek that avenue, and are now right here in safety. How refreshing! Oh, how much good it does us as Americans to see, standing at the threshold of the White House in the Capital of our country, that grizzled old veteran pleading to be sent where the battle rages, Leonard Wood. [Applause.] Oh, we should not be carried away by these things. Do not get excited and worry over them, my friends, for there are only a few thousands of them, but think of the millions of boys in the line and the officers in the line who will add to the glory and

luster of our flag on those foreign fields. One man spoke to-day or yesterday about grafters. Oh, I have no doubt they are abroad in the land. When war comes, like snakes in the grass you can see their heads coming up everywhere looking for an opportunity to rob their Government. O God, grant that such may not be the opportunity they may have, and may God pity each and every one of them and damn each and every one of them forever [applause] is my prayer. And when I think of them, even, and their contemptible meanness I forget it when I think of the glorious millions of patriotic, honest men and women in this country ready to give of their all to support the Government. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. McKENZIE. May I have five minutes more?

Mr. KAHN. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended for five minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from California? [After a pause.] The Chair hears none.

Mr. McKENZIE. I would like to talk longer, but, gentlemen, I do not want to worry you this hot day. I want to say this: With all the shortcomings of the War Department and the officers and all of us, we may all have made some mistakes, as an American, as an American citizen, I am proud of the record of my country when I realize that only a year ago we had but few ships. Yes; like gallant Perry, when he had to go into the forest on the shores of Lake Erie and cut the trees to make the boats to win the battle for our country, here in this conflict we have had to go to the forests and into the mines of the country and dig up the ore and bring out the lumber to make the boats to carry our men across. We had to build forges to make the cannon and to construct all the great equipment necessary to carry on this war, but the genius of American citizenship is winning out, and in one year we have accomplished more than any other nation on the face of the earth could accomplish. Did Democrats do it or Republicans do it? Ah, forget that. Americans did it; Schwab and Ryan and the other men who have been called in to help in this country have done this great work.

I want to say to you gentlemen on that side of the House and to the country do not compliment us for standing by the administration in this great conflict. Do not humiliate a Republican on this side of the Chamber by complimenting him for standing by his country in the hour of trial. What do we care who may be at the head of the Government in this hour of trial? We are Americans, and more than that, the most glorious heritage that we have as a party is the fact that its first great duty was to save this Nation from a most dangerous and disastrous revolution. We were rocked in that cradle; we have been taught from infancy to manhood to love the great central power of this country of ours and its flag. As followers of Alexander Hamilton we have not found much difficulty in giving to the President, though a Democrat, all the power that he has asked with which to carry on this war. We will give him more; we will give him every power necessary to win the war for America. And when that is all done we realize and know that he is an American and not a usurper. Should he undertake to usurp one of the rights or privileges of an American citizen, then we will rise against him as you will rise against him. But so long as we delegate this power to him as representative of the people there is no danger.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DENT. Mr. Chairman, I ask that the gentleman's time be extended for one minute.

Mr. McKENZIE. Now, my friends, on to-morrow, on the 30th day of May, the beautiful month of flowers, we are going to strew flowers upon the graves of the heroes of our country in all the wars past, and with all the solemnity that will go with that service. The youth of this land, 2,000,000 of them, are now in arms. We said by our vote here that we would take them whether they wanted to go or not, and we put them in. So to-morrow, my friends, as we cast our bouquets of flowers on these graves, let us reconsecrate ourselves to these young men and to this great, free land of ours, and determine to stand together until that Old Flag shall wave in triumph on the smoke-covered battle fields of France and human liberty shall be secure everywhere. [Loud applause.]

Mr. SAUNDERS of Virginia. Mr. Chairman, the aviation section of this bill has been discussed very fully, and in connection with this discussion much interesting and instructive matter has been put into the RECORD. In the last issue of the Scientific American, a technical journal of high standing, will be found a very appropriate and informing article, entitled "The true story of the Liberty motor." Doubtless this article has already been read with interest by some at least of the

members of this committee, and they will agree with me that it ought to have a larger circulation than will be the case if its dissemination is restricted to the columns of the Scientific American. This article deals in a lucid, scientific, and informing fashion with a subject that holds the attention of every American at this time. I intend to ask that this article be made a part of my remarks, but before doing so, I desire to call the attention of the committee to one or two citations therefrom of peculiar interest, in view of some of the statements that have been made, and queries that have been propounded, in the progress of this debate. The first quotation is as follows:

An air of mystery has surrounded the Liberty motor from its inception, and it is high time that this was dispelled. Recent announcements from the War Department, disclosing details of the motor and their similarity to other motors of American and foreign design, give us the liberty to tell here for the first time the real story of the development of our standard aviation motor.

Then follows a very instructive discussion of the history and evolution of the Liberty motor.

Again on the subject of production, which has been discussed in such a misleading and extravagant fashion by sensation mongers in the daily press, the article proceeds to say:

One of the engineers of the Ford plant told the writer personally, that he thought everyone would recognize the right of the Ford Co. to an opinion on "quantity production manufacture." He said—

Referring to the Liberty motor—

that never in the world's history had a greater piece of work been done on a similar scale. The development of this motor was simply short of marvelous, and the public instead of criticizing the manufacturers for slowness should be thankful that they have had such competent men to carry on the work, and develop a motor of such efficiency in so incredibly short a space of time.

In view of the criticism, at times almost malignant, of the officials charged with the work of developing and producing on a vast scale an efficient motor, at once simple and powerful, and embodying the lessons that have been learned in the evolution of the aeroplane engine, the statements just quoted will I have no doubt be of peculiar and exceptional interest to the Members of this House, and the general public. Everyone is entitled to have the truth, the whole truth and nothing but the truth in this connection.

Now I ask, Mr. Chairman, unanimous consent that I may include and make a part of my remarks the article from which the citations have been taken.

The CHAIRMAN. The gentleman from Virginia [Mr. SAUNDERS] asks unanimous consent to include in his remarks the article referred to. Is there objection?

Mr. COOPER of Wisconsin. May I ask the gentleman who is the author of the article, or is it an editorial?

Mr. SAUNDERS of Virginia. I do not know who is the author. Apparently he is one of the staff of the Scientific American, since the article is not a signed one, as would in all likelihood be the case, if it was a contribution by a correspondent.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia? [After a pause.] The Chair hears none.

The following is the article referred to:

[From the Scientific American, June 1, 1918.]

THE TRUE STORY OF THE LIBERTY MOTOR—THE LIGHTEST AND MOST POWERFUL AIRPLANE ENGINE PRODUCED ON A QUANTITY BASIS.

When Secretary Baker made the dramatic announcement last summer that a new motor, christened the "Liberty," had been developed by two American engineers in a five-day conference behind locked doors, men who were experienced in machine design shrugged their shoulders. They knew the impossibility of designing so highly refined a machine as an airplane motor in such a brief time. They assumed, therefore, that the so-called new motor was probably a standard motor in which a few modifications had been introduced, and speculation was rife as to what particular standard motor had been adopted. It was at first claimed that the German motor, known as the Mercedes, formed the basis for the Liberty motor; then other claimants came forward.

An air of mystery has surrounded the Liberty motor from its inception, and it is high time that this was dispelled. Recent announcements from the War Department, disclosing details of the motor and their similarity to other motors of American and foreign design, give us the liberty to tell here for the first time the real story of the development of our standard aviation motor.

Shortly after the outbreak of the great European War Mr. Henry Joy, then president of the Packard Motor Car Co., became impressed with the importance of the airplane in modern warfare. He felt certain that before the conflict was over the United States would be involved, and, looking about among our motor manufacturers, he realized how poorly prepared we were to produce the motive power for aerial warfare. There was no question that Europe was far ahead of us in the construction of airplanes and airplane motors, and being a motor manufacturer himself he realized how long it would take to develop the manufacture of first-class motors in this country, even after we woke up to the realization of their necessity. Therefore he urged his company to proceed at once with the development of an airplane motor which would compare favorably with the very best produced in Europe. This was in the fall of 1914.

In the spring of 1915 work was started on such a motor, and the design was completed in November of that year. The engine was ready for block test in February of 1916. As there were no facilities for testing airplane engines by actual flights in this country, the new motor was placed in a racing chassis of special construction and was sub-

jected to severe tests at the Sheepshead Bay Speedway. The engine was of 299 cubic inches displacement, or just under the 300-inch racing limit established by the A. A. A. It was of the 12-cylinder V type, with cast-iron cylinders. After it had been thoroughly tested out, a second model was designed, based on the principles that had been proved out on the first model. This was of much larger design, with 4 by 6 cylinders and of 905 cubic-inch piston displacement. The new motor was provided with an airplane propeller and mounted on a truck. With this unique power plant the truck was driven about the streets of Detroit. The air-propelled truck could travel faster than any man would care to drive it. In one test the wheels were locked, and yet the truck was pushed over snow-covered ground.

In April, 1917, a second engine of this model was completed and placed in a racing chassis. It established the official world record of 130 miles per hour, or a mile in 28.76 seconds. In this second model steel-forged cylinders were used, fitted with pressed steel jackets welded on. Considerable difficulty was at first experienced in attempting to weld the jacket to the cylinder without burning the metal or introducing strains in it. After a considerable experiment it was found that the meeting edges which were to be welded must be of the same thickness, otherwise the heavier section would carry off the greater proportion of heat and the two surfaces could not be heated to the same temperature. By reducing the surfaces to exactly the same section, welding with the oxy-acetylene torch was readily accomplished.

In the first model the cylinders were set at an angle of 60°, following the practice used in automobile engines; but in the second model an angle of 40° was adopted so as to cut down head resistance. Tests of the engine showed that there was no noticeable vibration with the cylinders set at this unusual angle, even when the engine was run at considerably reduced speed. In this engine the cam shaft was placed directly over the cylinders and the housing for the cam shaft acted as a truss to hold the upper ends of the cylinders rigid.

The third model was begun in April, 1917, immediately after war was declared, and the first engine was completed in May. This contained certain improvements over the previous models, aimed particularly at reduction of weight and simplification of manufacture.

One of the first demands upon this country when it entered the war was to start the manufacture of airplanes in large quantities. We had a reputation for manufacturing on a quantity basis, and it was felt that if we turned our great industrial organizing ability upon this problem we could turn out a fleet of airplanes that would simply overwhelm the enemy. Our engineers had studied the foreign airplane motors and a number of them were being made in this country. It was realized, however, that they were not adapted for quantity production on an American basis, and it was very necessary for us to develop a motor of our own which would become a standard and which could be produced in enormous quantities. As soon as the United States was drawn into the war the Packard Motor Car Co. offered its models and experience to the Government, and being actuated by patriotic motives, was perfectly willing to abandon, for the time being, all claim to the origination of this motor, although it had expended \$400,000 in its development. However, there were some changes that the Government called for, and it was felt that a representative of some other motor manufacturing concern should be called in to advise with the Packard engineers in the modifications which would eventually be adopted by the Government. Accordingly Maj. Hall, of the Hall-Scott Motor Co., was called to Washington to confer with Mr. (now Lieut. Col.) Vincent, chief engineer of the Packard Co. Mr. Vincent had with him the blue prints of the complete plans of his motor and these were studied by Maj. Hall, who suggested a number of changes.

When the war first broke out airplanes were fitted with 100-horsepower engines. Very soon they were found to be insufficient and engines of 125 horsepower were made. The engine power then gradually increased to 150, 175, 200, 250, and it was about in that neighborhood when Maj. Hall and Mr. Vincent were called upon to furnish the United States standard motor. It was felt that a motor should be designed so far ahead in power of anything else that had been produced that by the time it could be turned out in quantity it would still be well in the lead. Accordingly a horsepower of between 350 and 400 was sought and the size of the cylinders was changed from 4 by 6 to 5 by 7. Because of the larger cylinders required in the new motor the angle of the V was changed from 40 to 45 degrees. The larger pistons and cylinders required slightly greater clearances. In place of the forced lubrication of the crank shaft which was provided in the Packard engine the scupper system was introduced by Maj. Hall, because it had been found very efficient on the Hall-Scott motor. This is also a feature of the Mercedes motor. The scupper consists of a small cup-like flange on the crank arm, which catches the oil and throws it up on the bearing of the crank shaft. These and other slight modifications were thoroughly discussed and decided upon by the two motor experts, who worked unceasingly and arrived at the finished design in a conference lasting five days. They had a herculean task before them and deserve the highest praise for the successful outcome of their efforts.

As soon as the conference was over telegraphic instructions were sent on to the Packard plant and work was started immediately upon the new motor. Even before blue prints arrived the wood model was prepared in the general form and essential features of the new motor. Work on the new engine was pushed at the highest speed possible, and on the 3d day of July it was completed and shipped to Washington. The next day it arrived there, on the Nation's birthday, and was christened the "Liberty Motor."

After the first experimental motor had been completed it was subjected to a great many trying tests and was found to be exceedingly efficient and very light. It developed a horsepower of considerably over 400 and its weight was but little over 800 pounds. Its weight per horsepower was therefore about 2 pounds, which is much lighter than the majority of airplane motors. On endurance tests it stood up wonderfully. It was tested at the summit of Pike's Peak, in order to determine its action under conditions of rarified atmosphere, and proved very satisfactory. At the Bureau of Standards in Washington a special room was set aside in which a partial vacuum was created equivalent to that which exists at the maximum height to which an airplane engine has been carried. In this room the engine was found to operate perfectly. At one of its first altitude tests in a plane the American record for altitude was smashed. Not until September was the order to proceed with the manufacture of the Liberty motor definitely given, and immediately work was started in the Packard plant.

It was not considered advisable to build a new plant and purchase new machinery for the manufacture of the new motor, because this would consume a great deal of time. Instead, it was decided to give up the manufacture of automobile motors for the time being and rearrange the machine tools to make the new motor. While the plans were

being prepared to carry this out the automobile-motor plant was operated day and night at full capacity in order to produce as many automobile motors as possible before the manufacture of them stopped. Under this intensive program by the end of the year a large stock of motors had been machined and for the most part assembled to meet the commercial demands. In the meantime work on the new Liberty motor was going ahead as fast as possible. New jigs had to be constructed, machine tools had to be fitted with new appliances, and the work had to be organized so that the motor could be produced on a large scale.

It is interesting to note that the first experimental motor was delivered to the Government on the 4th day of July, and the first production motor was sent to Washington on Thanksgiving Day. This, however, did not mean that the production problems had all been solved. No one except a man who has actually had experience with such work can realize the infinite amount of detail required in organizing a new industry. Usually the organization work does not make any showing at all to the general public, and consequently is not appreciated. One of the engineers of the Ford plant told the writer personally that he thought everyone would recognize the right of the Ford Co. to an opinion on quantity production manufacture. He said that never in the world's history had a greater piece of work been done on a similar scale. The development of the Liberty motor was simply short of marvelous, and the public instead of criticizing the manufacturers for slowness should be thankful that they have had such competent men to carry on the work and develop a motor of such efficiency in so incredibly short a space of time.

The motor which was delivered to the Government on Thanksgiving Day developed a number of small troubles. One of these was the difficulty of lubrication, and eventually it was found necessary to change the scupper system to the original forced lubrication system. But the most important change was made in the production of the cylinders. In the first Liberty motor the cylinders had to be bored from the solid—an operation that was very costly in time and money. This, however, was a copy of the best foreign engineering practice and was followed as a necessary detail by our engineers. It was at this juncture that the engineers of the Ford Motor Car Co. made a notable contribution. They developed a cylinder forged out of steel tubing, which enabled the manufacturers to turn out the cylinders at very low cost and in exceedingly large quantities. Seamless steel tubing is used, and this in but four operations under the forge press and bulldozer is converted into a headed and flanged cylinder blank on which a minimum of machining need be done. The manufacture of these cylinders was not undertaken until the end of January, and now they are being turned out in very large quantity. Each week the cost of producing the cylinders has been reduced slightly, and all the savings made have been turned over to the Government. At the time the writer observed the work on these cylinders the cost had been cut down more than half, with even greater economies in prospect.

One of the difficulties encountered in the Liberty motor had to do with the form of ignition. In the original Packard motor the "Delco" system of ignition was used. This consists in generating current with a small electric generator geared to the engine shaft and then transmitting the current by means of a pair of distributors to the spark plugs. Magneto ignition was tried, but it proved impossible to design a single magneto which would operate with the irregular timing required in an engine in which the cylinders were set at the unusual angle of 45 degrees. A single magneto could not be used and so a battery of four magnetos had to be employed. This added somewhat to the weight of the engine. Then further difficulties were encountered. Owing possibly to the vibration of the engine at high speed, the magnets of the magneto showed fatigue and gradually lost their magnetic property. So that eventually it was decided to return again to the original system of ignition. One of the marked differences in appearance of the Liberty and Packard "900" is due to the fact that the latter is provided with reduction gearing. The advantage of this is that it places the hub of the propeller more nearly in line with the center of area of the engine, so that far more efficient driving results are produced in the air. For this reason the reduction gearing is being looked upon with favor now, and it is highly probable that there will be a return to this feature of the original Packard "900." Furthermore, the ideal speed for the engine is higher than ideal propeller speed. It is rather remarkable that in a number of very important features it has been necessary to revert to the original design.

Production of the Liberty motor is now proceeding at a very satisfactory pace. More motors are being produced than there are planes to carry them. When the writer visited the Packard plant several weeks ago they were being turned out at the rate of 15 per day and it was hoped that inside of two months a production of 50 per day would be attained. No expense was being spared to reach this rate of production, but again the matter of organization was holding up the work so that it was considered impossible to attain that rate before the end of June.

In the Ford plant manufacture of the Liberty motor was just about to start with a program of 100 complete engines per day when the plant is in full operation. Here, as in the Packard plant, the standard equipment of the machine shop was being overhauled and reorganized for work on the Liberty motor. This was being done at the expense of the regular commercial motor. In several other factories work on the Liberty motor has either just begun or is about to begin, and certainly by the middle of the summer the Liberty motor ought to be produced in very large quantities. The only thing that is retarding the airplane program now is the manufacture of planes to carry the motors.

The efficiency of the Liberty motor is not to be questioned by anyone who has examined it thoroughly. It is far more powerful than any other airplane engine ever produced on a quantity production basis. It exceeds in power all but a few experimental machines. Although rated at 400 horsepower, it has shown on test as high as 485 horsepower, and its weight is 820 pounds.

It is a mistake to assume that any one motor is adapted to all classes of airplane service. There is no single motor abroad which is of such universal utility. The Liberty motor is one of the most powerful airplane motors in the world and the lightest for its power. Obviously, it would be impracticable to use it on light machines which do not require such power, or on slow observation machines. But it is ideal for bombing purposes, for here we have large airplanes of great carrying capacity that must travel long distances at high speed. The Liberty motor should also be available for fighting machines of the larger types. We are making a great many motors of other types for our training machines and for our lighter fighting machines. Altogether, the airplane situation is fast approaching a very satisfactory basis, and before the end of the year it should play an important part in the great struggle on the other side of the water.

ORDER OF BUSINESS.

Mr. KITCHIN. Mr. Chairman and gentlemen, of course I have become bankrupt on assurances and promises as to adjournments and recesses, and all of that, but I can redeem myself in this statement or this promise: I have talked with the minority leader and others, and it has been found that a great many gentlemen desire to go away Saturday, as they have engagements for that day, and if we can finish this bill by Friday evening I will make a motion to adjourn over until Monday. So I thought possibly that might encourage us to work on this bill a little harder.

ARMY APPROPRIATIONS.

Mr. DENT. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and amendments thereto be now closed.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent that all debate on this paragraph and all amendments thereto be now closed. Is there objection? [After a pause.] The Chair hears none. The Clerk will read.

The Clerk read as follows:

Provided, That the moneys herein appropriated shall be and become immediately available upon the passage of this act, and shall also be available for the payment of obligations incurred prior to the passage of this act in the event such obligations are of a character otherwise within the scope of the appropriation.

Mr. CANNON. Mr. Chairman, there is one question that I wish to ask of the gentleman in charge of the bill. We had some conversation about the amount that is carried by this bill. You expend the appropriations of every kind, by this proviso, heretofore made. Now, does that add to the aggregate of appropriations that you have stated heretofore for the Aviation Service?

Mr. DENT. It does not add to anything, but it carries into the next fiscal year the amount of money that we appropriated last year.

Mr. CANNON. And the amount not expended was included in your statement?

Mr. DENT. Yes.

Mr. CANNON. That is all.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Provided, That during the existing emergency the head of the bureau or department charged with aircraft production be, and he is hereby, authorized to employ in the District of Columbia, out of appropriations made for designing, procuring, caring for, and supplying airships, engines, and property connected therewith, such services as are necessary for carrying out these purposes.

Mr. HICKS. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from New York moves to strike out the last word:

Mr. HICKS. I do so, Mr. Chairman, merely to carry out, in a measure, and amplify the statement made by my colleague [Mr. HUSTED] this morning in regard to some of the reasons why the air program has fallen down. It seems to me that one additional reason why there has been so much delay in production has been lack of a positive, continuing policy on the part of the War Department in relation to the air service.

A few weeks ago I went through one great plant in Buffalo, N. Y., operated by the Curtiss Co., and they told me that their capacity was only partly utilized, for the simple reason that the Government, after making a contract with them or sending them specifications and blue prints, would frequently telegraph them to hold up on those contracts until further notice, and that days and even weeks would pass before instructions were received to proceed. The result was that the Curtiss Co. could not go ahead and order material in large quantities or contract for labor, and therefore could not inaugurate a comprehensive program of quantity production. I think that is one reason for the delay, and a very serious one, which should be corrected.

The gentleman from Pennsylvania [Mr. MOORE] asked the gentleman from Nebraska [Mr. SHALENEBERGER] a question this morning as to the cost of airplanes. This is an Army bill, but I will ask indulgence to refer to Navy matters for a moment. I know the gentleman from Pennsylvania will be interested in this particular item, especially as it relates in part to his own city. I refer to the cost of the seaplanes now being manufactured in the Curtiss works and in the navy yard at Philadelphia. These great seaplanes or boats, that have a 96-foot spread of wings and a lifting capacity of 10,000 pounds, when ready for flight, completely manned and armed, cost \$48,000. They are equipped for service abroad and are now being shipped.

Of course, the purpose and object of that service is not merely the killing of a crew in an opposing plane, as the gentleman from Pennsylvania suggested, but it is to patrol the coasts of

France and the shores of Ireland, in order to destroy submarines by dropping depth charges upon them or attacking them by gunfire. They are driven by two Liberty motors, mount several machine guns, and, I confidently believe, will prove most effective in checking the ravages of the German submarine. [Applause.]

The CHAIRMAN. The pro forma amendment, without objection, is withdrawn. The Clerk will read.

The Clerk read as follows:

Provided, That the President be, and he hereby is, authorized, through the head of any executive department, to sell, upon such terms as the head of such department shall deem expedient, to any person, partnership, association, corporation, or any other department of the Government, or to any foreign State or Government, engaged in war against any Government with which the United States is at war, any war supplies, material, and equipment, and any by-products thereof, for the production of such war supplies, materials, and equipment which, during the present emergency, may have or may hereafter be purchased, acquired, or manufactured by the United States.

Mr. GOOD. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Iowa.

The Clerk read as follows:

Amendment offered by Mr. Good: Page 14, line 21, after the word "States," insert: "Provided further, That sales of guns and ammunition made under the authority contained in this or any other act shall be limited to sales to other departments of the Government and to foreign States or Governments engaged in war against any Government with which the United States is at war."

Mr. GOOD. Mr. Chairman, from a glance at the paragraph it will be seen that it is contemplated to give authority to the President, through the head of any executive department, to sell to any person, partnership, association, or corporation any war supplies or material.

Obviously, it will be necessary to sell a great deal of war supplies and materials when the war is over. It is also obvious that it is now necessary to sell a great deal to the countries with which we are allied in the present war. There will be millions of feet of lumber; there will be thousands of ice chests and things of that kind too numerous to mention, to be disposed of. But, Mr. Chairman, we should not grant to the head of any department the right to sell guns and ammunition to any person, firm, corporation, or association or to any country except the countries that are at war with the Governments with which we are at war.

But yesterday, in the Committee on Appropriations, large sums of money were asked to purchase certain 6-inch guns of Mr. Bannerman, of New York, which he had purchased from the Navy of the United States. It was stated on the floor of this House that two years ago, when our boys crossed the border and went over into Mexico, they were met there by Mexicans armed with Springfield rifles purchased by these second-hand dealers in New York City and elsewhere.

Why should the Government of the United States sell guns and ammunition to a firm or a corporation which in turn could sell these supplies to some bandit or insurgent who might use them against our own troops. So far as guns and ammunition are concerned, if they are to be disposed of at all Congress ought to have something to say about it without leaving it to some bureau chief, as it would be left, to decide who shall purchase it and at what price.

My attention was recently called to articles used in Panama, sold to a concern in the United States for \$1,500 each, which that same concern has since sold to our War Department for \$15,000 each. Congress need not hurry now to dispose of war supplies and materials, especially guns and ammunition. We, of course, have been necessarily hurried and have had to pay large prices for the acquisition of these things to make an adequate defense of the United States; but Congress need not now trust to a bureau chief to dispose of billions of dollars worth of this kind of material but can well wait, and can understand and identify the person to whom we are selling it, or the country to which we are selling it, rather than sell it to the second-hand dealer, who could sell it if he wanted to a country with which we might have some very grievous trouble.

All that this amendment does is simply to provide that when it comes to guns and ammunition we can only sell to another department of the Government or to States or countries that are at war with the same countries with which we are at war. We can furnish our allies with all those things, but we can not sell them to Bannerman at any price or on any terms that some mere bureau chief might determine upon.

Mr. DENT. Will the gentleman yield?

Mr. GOOD. Yes.

Mr. DENT. The gentleman submitted his amendment to me, and I investigated it as well as I could, and I think it ought to be adopted.

The CHAIRMAN. The question is on the amendment proposed by the gentleman from Iowa [Mr. Good].

The amendment was agreed to.

Mr. GOOD. Mr. Chairman, I offer another amendment.

The CHAIRMAN. The gentleman from Iowa offers another amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. Good: On page 14, line 21, after the word "States," insert: "Provided further, That a detailed report shall be made to Congress on the first day of each regular session of the sales of any war supplies, material, and equipment made under the authority contained in this or any other act, except sales made to any foreign State or Government engaged in war against any Government with which the United States is at war, showing the character of the articles sold, to whom sold, the price received therefor, and the purpose for which sold."

Mr. DENT. I have no objection to that; but, Mr. Chairman, I want to call attention to the fact that the first proviso comes in after the word "States," and this further proviso ought to come after the first one.

Mr. GOOD. Yes; it should follow the amendment that has just been adopted.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa.

The amendment was agreed to.

The Clerk read as follows:

Provided further, That during the present emergency the requirements of section 3744 of the Revised Statutes shall not apply to the rent of quarters for the use of local, district, or medical advisory boards where the amount to be paid is less than is customarily charged the public for the same quarters: *And provided further*, That all payments made by disbursing officers appointed in connection with the execution of the selective-service law for rents unsupported by a lease may be passed to their credit by the accounting officers of the Treasury if otherwise correct.

Mr. ROGERS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Massachusetts offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. Rogers: Page 16, line 13, at the end of the paragraph, insert a new paragraph, as follows:

"The Secretary of War is authorized and directed to provide and issue to all men who, under the provisions of an act for making further and more effectual provision for the national defense, and for other purposes, approved May 18, 1917, or of any law hereafter enacted, have heretofore been or shall hereafter be drafted into the military service but subsequently exempted therefrom, or who heretofore or hereafter having volunteered for military service shall have been or shall be rejected for any cause, a distinctive button or badge of such design, size, and composition as he shall determine and adopt, and to cause a new button or badge to be issued to such persons, without charge therefor, whenever during the present emergency the button or badge originally issued shall have been lost, destroyed, or rendered unfit for use without fault upon the part of the person to whom it was issued, and to meet the cost of procuring, providing, and distributing the same out of any appropriations heretofore or hereafter made for expenses incident to or necessary for the registration, selection, or draft of persons available for military service.

"It shall be unlawful for any person other than the one who has been drafted and exempted, or who has volunteered and been rejected, as aforesaid, to wear said button or badge, or other button or badge approximating the design thereof, or for any person by misrepresentation to procure the issuance of either an original or substitute button or badge, or for any person, partnership, association, or corporation, without the authority of the Secretary of War therefor, to manufacture said button or badge, or other button or badge approximating the design thereof; and any person, partnership, association, or corporation who shall violate the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than \$500 or by imprisonment for not more than six months, or by both such fine and imprisonment."

Mr. DENT. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. The gentleman from Alabama reserves a point of order.

Mr. ROGERS. Mr. Chairman, my amendment, just read from the Clerk's desk, provides for the issuance of a distinctive badge or button by the War Department to every man who has volunteered for military service, or who, having been drafted for military service, has for valid cause been exempted by the constituted authorities of the United States. The exact language carried by my amendment was proposed by the Secretary of War himself in a communication sent to the Senate of the United States and to the House of Representatives of the United States on December 20, 1917. In support of the measure the Secretary of War wrote:

An exemption badge or button, which may be worn by men of military age drafted into the military service but subsequently exempted therefrom, or who have volunteered or may hereafter volunteer for military service but have been or shall hereafter be rejected for any cause, seems necessary in order that such men may have something official to show that they are not slackers.

Such a badge or button having been authorized, the law should also provide penalties for its unauthorized use or manufacture.

I have the honor to suggest, therefore, that legislation be obtained as early as practicable, to accomplish these objects, and to submit the following draft of a bill for this purpose.

Then follows a suggested draft of a bill identical with the amendment which I have just offered.

The Senate Committee on Military Affairs favorably reported this bill, and it passed the Senate on February 5 of this year. The House Committee on Military Affairs has not acted, but I have been told informally by several of the members of the committee that they are in hearty accord with its provisions. I have talked this morning with the men in The Adjutant General's office who are charged with the administration of recruiting both by conscription and by volunteering. They tell me that their mail is daily flooded with appeals from all over the country for a badge of this kind, and that men who are not wearing the uniform for a cause which does not arise from their own fault should be permitted as an act of the barest justice to wear in their buttonholes some indication that there is a valid reason why they are not rendering military service.

I believe that the adoption of this amendment and the issuance of exemption badges or buttons would have a tremendously useful effect upon the general military situation throughout the country, because it would enable everyone at a glance to know that a man of draft age was not in the Army for some good reason outside his own preference or his own fault.

When I was in England last winter I saw men, young men and older men, wearing a badge as big as a policeman's badge on their lapels. I made inquiries as to what those badges were, and I found that Great Britain had found it necessary for the effective administration of the recruiting service to give men who had served in the military establishment and men who had been validly exempted from military service some distinguishing token by which the world might know that they either had done their duty or had tried to do their duty. The badge told their neighbors that they were mufti for some reason outside of their own fault. I think the membership will support this amendment, and I hope the chairman of the committee may think it proper to withdraw the reservation of his point of order.

Mr. DENT. Mr. Chairman, this matter has been considered by the Committee on Military Affairs and considerable opposition developed, although no final action has been taken. Some Members made the objection that it would subject these men who had the badge to criticism, and that we ought to consider this bill carefully. The committee, after we get through the appropriation bill, proposes to take up all matters of general legislation recommended by the War Department; probably next week; but I think the matter ought to be carefully considered by the committee itself rather than to have it put on an appropriation bill, and for that reason I shall have to insist on the point of order.

Mr. ROGERS. Will the gentleman yield?

Mr. DENT. Yes.

Mr. ROGERS. Is it fair to ask whether the gentleman from Alabama is personally in favor of this bill?

Mr. DENT. I will state that I have no decided views. I think there are some things to be said on both sides.

Mr. ROGERS. I think the whole country will be behind the action of Congress if it gives these men a chance to show what they are.

Mr. DENT. We will take it up as soon as this bill is through.

Mr. ROGERS. The bill has been considered by the Committee on Military Affairs of the Senate, by the War Department, and by the Secretary himself.

Mr. DENT. Yes; but it is a comprehensive bill carrying a great many details, and I do not think it would be exactly fair to put it on an appropriation bill even though it is a desirable bill.

Mr. SHALLENBERGER. Will the gentleman yield?

Mr. DENT. Yes.

Mr. SHALLENBERGER. I wish to call the attention of the gentleman from Massachusetts to the fact that the law now under the questionnaire gives a man of military age a status that if he is not in the service of his country he is out of it not by any fault of his. He does not have to wear any badge.

Mr. ROGERS. But the general public does not understand that, and the man deserves some protection from the unjust comments of other people.

Mr. SHALLENBERGER. The gentleman is aware that there are 6,000,000 registered, and there would be 4,000,000 men wearing badges under the gentleman's amendment. They need no excuse.

Mr. DENT. At any rate, I will say to the gentleman that there is such an opposition to this bill in its present form among the members of the committee that I think it is my duty to make a point of order.

Mr. ROGERS. May the House have the assurance of the chairman of the committee that within a very short time this great question will be taken up and disposed of?

Mr. DENT. It is my purpose, as soon as we get relief from the appropriation bills, to take up every bill on the calendar of the Military Committee and dispose of them one way or the other. Of course, I do not know how the committee may act.

The CHAIRMAN. Does the gentleman from Alabama insist on his point of order?

Mr. DENT. I do.

The CHAIRMAN. The Chair sustains the point of order.

Mr. ROGERS. Mr. Chairman, I offer another amendment.

The Clerk read as follows:

Amendment offered by Mr. ROGERS: Page 16, line 13, at the end of the paragraph, insert the following as a new paragraph:

"The Secretary of War be, and he hereby is, authorized and directed to provide and issue to all men who, since April 6, 1917, have been honorably discharged from the armed forces of the United States, a distinctive button or badge of such design, size, and composition as he shall determine and adopt, and to cause a new button or badge to be issued to such persons, without charge therefor, whenever during the present emergency the button or badge originally issued shall have been lost, destroyed, or rendered unfit for use without fault upon the part of the person to whom it was issued, and to meet the cost of procuring, providing, and distributing the same out of any appropriations heretofore or hereafter made for expenses incident to or necessary for the registration, selection, or draft of persons available for military service.

"SEC. 2. That it shall be unlawful for any person other than the rightful owner to wear said button or badge, or other button or badge approximating the design thereof, or for any person by misrepresentation to procure the issuance of either an original or substitute button or badge, or for any person, partnership, association, or corporation, without the authority of the Secretary of War therefor, to manufacture said button or badge, or other button or badge approximating the design thereof; and any person, partnership, association, or corporation who shall violate the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than \$500 or by imprisonment for not more than six months, or by both such fine and imprisonment."

Mr. DENT. Mr. Chairman, I make the point of order on the amendment.

Mr. ROGERS. Will the gentleman reserve it for a moment?

Mr. DENT. I will.

Mr. ROGERS. Mr. Chairman, I do not wish to take the time of the committee in discussing my second amendment. The first one was to provide for men who had either volunteered, but had been rejected for physical or some other valid reason, or had been drafted and had been exempted for some good cause from serving with the colors. This amendment provides that men who have actually served with the colors and have been honorably discharged from the service of the United States shall be permitted to receive and wear a badge furnished by the United States showing their service. This amendment is, I think, even more meritorious than the other, for it cares for men who have actually served and who for wounds or injuries have been honorably discharged by the Government.

Mr. GREENE of Vermont. Will the gentleman yield?

Mr. ROGERS. Yes.

Mr. GREENE of Vermont. Of course, they get an honorable discharge, and that is more important and authoritative.

Mr. ROGERS. An honorable discharge paper, of course, is a great protection to these men. That is the official proof that they have rendered service. But just as the gentleman from Vermont, who has made the suggestion, is proud of wearing in his lapel at this moment a button showing the fact of his Spanish War service, so the men who have served in the present great war with Germany desire to wear in their lapel a button showing their military service.

Mr. CRAGO. Will the gentleman yield?

Mr. ROGERS. Yes.

Mr. CRAGO. Has the gentleman forgotten that the Government has never issued that badge?

Mr. ROGERS. I hope at some time that defect may be remedied.

Mr. CRAGO. I think we are starting at the wrong end of the line.

Mr. ROGERS. Mr. Chairman, I have had some knowledge of the condition of the sick and wounded soldiers at Walter Reed Hospital and elsewhere. There are at that one hospital several hundred men who either have been discharged for physical reasons or who are about to be discharged for physical reasons from further service in the United States Army. Those men have done their part just as well as they know how, and without fault on their own part they have fallen physically by the wayside. They want this recognition by the United States Government of the fact of their service. There are also at Walter Reed Hospital 30 or 40 men who have returned from France hopelessly crippled from wounds or injuries received in France. These men have nothing that they can wear to show to their friends and neighbors and the people whom they meet that they have rendered honorable service in this great war with Germany. This amendment will take care of those men. Again, I submit that it is rendering only the barest justice to those

soldiers, who have done the very best they could for their country's cause.

Mr. DENT. Mr. Chairman, I make the point of order on the amendment.

The CHAIRMAN. The Chair sustains the point of order.

Mr. LOBECK. Mr. Chairman, I move to strike out the last word, and I do this for the reason that I have received a letter from the governor of Nebraska in regard to the Nebraska soldiers at Camp Cody. I understand there is a meeting to-day in Washington of the governors from the States of Minnesota, South Dakota, North Dakota, and other States considering the same subject in regard to their State troops, and during the few minutes I have I wish to read Gov. Neville's letter. It is as follows:

STATE OF NEBRASKA,
EXECUTIVE OFFICE,
Lincoln, May 25, 1918.

Hon. C. O. LOBECK,
Washington, D. C.

DEAR MR. LOBECK: As I advised in my telegram of this date, I have information that 5,660 men are to be taken from the Thirty-fourth Division as a replacement draft as soon after June 1 as they can be gotten ready. This will take more than 1,400 men from the One hundred and thirty-fourth Infantry, Nebraska's only Infantry National Guard organization in the service. One officer of the regiment will accompany each 250 men. This will leave, in addition to the noncommissioned officers in the companies of the regiment, approximately 16 men to each company. The One hundred and twenty-seventh Field Artillery, an organization of Nebraska men and officers, will be similarly affected. It means that Nebraska's organizations are to be entirely disrupted, and that the guaranty of the Government that Nebraskans in the National Guard would serve under Nebraska officers is to be entirely disregarded. The places made vacant are to be filled by drafted troops from New Mexico, Arizona, Texas, and Colorado. You, of course, know that the type of drafted men from those States, being largely Mexicans, in no way compares to our men.

I wish to say that these Nebraska soldiers who are now at Camp Cody have served for nearly two full years on the Mexican border, and they wish to be kept together, having trained as one unit.

Of course, it will be claimed that this disorganization is demanded by military necessity, but military necessity can not justify and the interests of the Government will not be served by destroying the esprit de corps and the morale of these fine organizations.

I have seen National Army divisions at Camp Funston and various Regular Army organizations. I have just returned from a 10 days' trip to Camp Cody, and I know from my own personal experience and investigations that the men of the Thirty-fourth Division are as fine a lot of troops as we have in the service, and now that the officers who are incapable have been weeded out they will measure up to the very best.

Nebraska and other Middle Western States are leading in all phases of war-work activities. The Minnesota and Kansas City Federal reserve districts were the first to go over the top in the recent liberty-loan campaign. Nebraska stands first in subscriptions to war savings stamps, and the men in the service from this State, as well as other Middle Western States, are certainly entitled to some consideration.

The Thirty-fourth Division has been in training for nearly a year at Camp Cody, the most undesirable and unenviable camp in the United States from the standpoint of the pleasure of the men stationed therein. Officers whose wives live in Deming have not been permitted to spend more than two nights per week outside of the camp. The men have not been given a furlough, except when a death occurred in the immediate family. Not a half dozen officers have been given leave to return to Nebraska since the troops went South a year ago. I can say, without fear of contradiction, that no division has worked harder than the Thirty-fourth, and the condition of the men indicates it. The men are trained to the minute, and various English and French officers have officially reported to the department that the division was ready and fit for foreign service and that no further advancement could be hoped for in the present environment. Drafted men who have been in training but a few weeks are now in France, and this division, which has been hard at work for practically a year, under the most unfavorable conditions, is now to be disrupted, the men to be distributed throughout various organizations, and the officers can look forward to another long period of training at Deming.

I feel sure that our Representatives in Washington have sufficient influence to cause the department to change their plans with reference to the disruption of these organizations. These men were not drafted; they are volunteers, and they are certainly entitled to serve their country as such and in the organizations of their choice. If the department can not be prevailed upon to move the division, perhaps they would move the brigades, regiments.

I know that you will do everything you can in this matter. The governors of other Western States are interested, and it is possible that several of us will make a trip to Washington with reference to it. The matter must be attended to at once, however, as these troops will leave as soon after June 1 as they can be gotten ready.

Yours, very truly,

KEITH NEVILLE.

Of course, this is a matter of administration, but I believe and it seems to me it is for the best interest of the Army and for the soldiers that these men who have served practically for two years in the National Guard on the border should be entitled to go together and not to be distributed in other regiments. There are, I believe, no better men in the service than these Nebraska soldiers. The most of them are native-born Nebraskans, absolutely and truly American in their views, educated in Nebraska schools—there are no better schools anywhere—accustomed to western outdoor life, these soldiers will render our country the best of service. They are true to the flag, they understand the principles of pure democracy, they are

the bravest of men, and when the history is written of this war, if these Nebraskans are given the opportunity to battle for their homes, their loved ones, their country, it will be said of them they were the bravest of men and have done the fullest share to bring victory to our country. I hope that they may be kept together as a fighting unit.

The Clerk read as follows:

Additional pay to officers for length of service, \$3,500,000.

Mr. DENT. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 16, line 20, after the figures, insert the following: "That section 23 of an act for making further and more effectual provision for the national defense, and for other purposes, approved June 3, 1916, be and the same hereby is amended by adding thereto the following:

"Should any such officer during such provisional period of two years become incapable of performing the duties of his office by reason of physical incapacity resulting from an incident of service, he shall be retired from active service by the President upon the actual rank held by him at the time of retirement in the manner provided by law for the retirement of permanent officers of the Regular Army, and provisional officers retired under the provisions of this section shall be in addition to the number of officers of the Army on the retired list now fixed by law."

Mr. MADDEN. Mr. Chairman, I would like to have some explanation of that amendment.

Mr. KAHN. Mr. Chairman, will the chairman of the committee kindly explain that?

Mr. DENT. I yield to the gentleman from Vermont.

Mr. GREENE of Vermont. Mr. Chairman, this amendment after all is more in the nature of restoring to the law as it stood what apparently was inadvertently taken out of it by the amendment to section 23 of the act approved June 3, 1916.

Mr. KAHN. The national-defense law?

Mr. GREENE of Vermont. The national-defense law. It was inadvertently taken out of that act by an amendment. The proposition is simply this: The War Department asked us to write into the national-defense act some provision whereby the young officers going into the Army in the first grade of second lieutenant from civil life—

Mr. MADDEN. That is into the Regular Army?

Mr. GREENE of Vermont. Into the Regular Army from civil life—should be styled provisional officers for the period of two years. And the purpose was explained to be this: That under the former procedure when they had been commissioned in this grade upon their acceptance from civil life they put themselves in the status of permanent commissioned officers, and it then required something like an intricate process under the law to dismiss them from the service for something that did not involve a court-martial charge. In other words, the practical effect of it was that when they were found not to be suitable or adaptable to military service there was no easy way to dismiss them from the service. A new status in a sense was created for a provisional service until it should be found out that the young man had a suitable temperament and the general all-around fitness to become an officer of the Army. Of course, if he violated any military discipline or anything of that kind demanding dismissal he would be treated as any other officer would, but there was no provision under the existing law whereby the man could be easily dismissed from the Army upon the mere ground that he was not the kind of man who would make a success of it.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. GREENE of Vermont. Yes.

Mr. MADDEN. As I read the language it provides—

Mr. GREENE of Vermont. I am coming to that. After we had written into this national-defense act the authority to call these young officers provisionals for the period of two years it developed that by construction of that amendment in the office of the Judge Advocate General it was held that appointment did not confer upon the appointee the right of retirement that was held by other officers who held a permanent status in the Army.

We did not intend any such thing, because the young man who goes into the Army as a provisional second lieutenant goes in with the same serious disposition and intent to become an Army officer as any other man; and not only that, but he has precisely the responsibility and the obligation other men of his grade and rank have, is held exactly to the same accountability, and consequently if he is wounded in service, incapacitated in service, there ought not to be any more discrimination against him than against a man who had been in there, say, 15 minutes longer and had just gone over that period of two years' service. Moreover, the terms of that amendment did not apply to the graduate of West Point. The West Pointer was permitted to go right in and become a second lieutenant, although the Government had spent four years of time and about \$25,000 to educate him to become a second lieutenant, and he was permitted

to be eligible for retirement within the next 24 hours if he might be disabled in the line of duty in the service, while the young man in civil life, who brought into the Army his own education and never cost the Government a cent, who might be disabled in the same accident, on the same tour of duty, could not be retired. Now, we did not mean to take that right of retirement for the provisional out of the general law by that amendment of the act of June 3, 1916.

Mr. MADDEN. In other words, you make eligible the retirement any time after he goes into the service after he meets with an accident?

Mr. GREENE of Vermont. Just exactly as in the case of all other officers of the Army.

Mr. MADDEN. What status has an officer in the National Army under such circumstances?

Mr. GREENE of Vermont. He does not engage in the business as a profession.

Mr. MADDEN. The mere fact is he does not engage in the business as a profession, but he does give his services, and his life if need be.

Mr. GREENE of Vermont. It has always been the fact that a professional soldier in the Regular Army is forbidden by the law to follow any other gainful occupation.

Mr. MADDEN. While they are in the Army?

Mr. GREENE of Vermont. Certainly; but they are in the Army for life.

Mr. MADDEN. The other man is forbidden to accept any other gainful occupation.

Mr. GREENE of Vermont. But he is not in the Army for life.

Mr. GORDON. He is in there for the period of the war, and he may be for life.

Mr. MADDEN. The other men are prohibited, under any circumstances, from accepting any gainful occupation while they occupy that position.

Mr. GREENE of Vermont. Oh, that is true; but he does not give up his home and business.

Mr. MADDEN. He does—

Mr. GREENE of Vermont. He does not in the sense of a man who takes up the Army as an occupation and a profession and goes into it for his life work and expects to stay there until he is 62 years of age.

The CHAIRMAN. The time of the gentleman has expired.

Mr. KAHN. I ask unanimous consent that the gentleman's time be extended for five minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from California? [After a pause.] The Chair hears none.

Mr. SHALLENBERGER. The Army officer in the Regular Establishment has the same right to resign as an Army officer in the National Guard has at any time.

Mr. GREENE of Vermont. Well, that same thing is true, I might say to the gentleman from Illinois—it has been true all these years, 50, perhaps, or more—about this same right of retirement. The right of retirement would be upheld when the disability had been incurred within 15 minutes after the man had gone into the Army, one might say, and always has been so.

Mr. SHALLENBERGER. If a man resigns from the Regular Army he releases his right to retirement?

Mr. GREENE of Vermont. Absolutely.

Mr. MADDEN. The statement the gentleman from Vermont made was that a man who went into the Regular service as an officer is not permitted to do any other business while he is an officer, and that same obligation applies to a man who is not in the Regular Army.

Mr. GREENE of Vermont. Yes; but in the Regular Army it withholds from them that privilege for a period of probably 40 years, which is a restriction not enforced in any occupation other than the Army—

Mr. MADDEN. And probably during the period he would be paid better than he would be in any other occupation.

Mr. GREENE of Vermont. The gentleman and I have seen men of splendid administrative capacity getting \$5,000 or \$6,000 in the Army who in outside employment would be getting \$15,000 or \$25,000 a year.

Mr. SHALLENBERGER. Another thing lies in the fact that there is no possibility of accumulating such a competency as will support a man in his old age, and that is one reason for retirement.

Mr. GREENE of Vermont. Exactly. It is part of a contractual obligation by the Government from the time that the man is sworn in that he will from that day on refrain from any outside gainful occupation, and in consideration of the fact that his salary never will be enough for him to lay up a competency, as men expect to do in civil life, that he will be carried along until he is 62 years of age, when the Government will retire him—

Mr. SHALLENBERGER. I want to ask this question, if I may do so. The man who has fitted himself for the Army in the West Point Academy during the four years while he is constructively in the Army is not entitled to any retirement until he is commissioned in the Army?

Mr. GREENE of Vermont. Not at all.

Mr. SHALLENBERGER. The idea of the probational civilian coming in was to put him in a certain degree in the position of the man who has had four years to fit himself, whereas this man comes in two years to fit himself; and the idea of the probation was a sort of two years' trial before he was fully accepted into the service. Now, the contention of the gentleman from Vermont is, in substance and in fact, that a man who has been taken into the Army on trial ought to be treated exactly the same as any other man coming in any other way into the Regular Army.

Mr. GREENE of Vermont. The point of the thing in effect is this, that the provisional started at the beginning of his two-year period with the idea that his permanent retention in the Army was contemplated. He goes along in the service from day to day like any other officer, and at the end of two years, when the clock strikes 12, he becomes a permanent officer, and those two years are credited to him as a longevity accumulation.

Mr. MADDEN. The longevity accumulation begins at the beginning of the West Pointer's academy period.

Mr. GREENE of Vermont. Not now. It was changed two or three years ago.

Mr. MADDEN. I do not think so.

Mr. GREENE of Vermont. I think it was.

Mr. MADDEN. We have been passing bills here recently—

Mr. GREENE of Vermont. They were for the old Civil War officers, due to a former construction of a comptroller that that service did count.

Mr. MADDEN. I think this legislation, while it does justice to the men to whom it applies, fails to do justice to the men to whom it does not apply, because many of the men who have gone into the National Army as officers have gone in because of the special ability they possess that qualifies them for the service they are called upon to render, and they have acquired that ability by long years of arduous toil and the expenditure of vast sums of money in educating them in the special lines in which they are experts.

Mr. SHALLENBERGER. The gentleman from Illinois [Mr. MADDEN] recalls the eloquent speech of his colleague [Mr. McKENZIE], to the effect that this tremendous number of men who come into this Army from civil life, with very little training, would have the same right of retirement as those men who are entitled to it by service.

Mr. MADDEN. I am speaking of those only who have swivel-chair jobs and not of men who are actually at the front and go to the front because they are, first, ardently patriotic and want to go to the front, and because of special qualifications that lead them to be useful at the front.

Mr. GREENE of Vermont. I suggest to my friend from Illinois that that presents the subject on an entirely different basis, because those men are only in the Army temporarily, and designedly so, and will go back to civil life again. That was a part of the contract of employment that was made. And if we do not adopt this amendment, I will suggest to the committee that we shall have the anomaly of two kinds of junior officers in our Regular Army, all performing exactly the same duties, all having exactly the same obligations, all having exactly the same responsibility and held to the same accountability, and yet one of them can be retired if he is wounded in that duty and the other can not.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MADDEN. Mr. Chairman, I would like to ask recognition.

Mr. McKENZIE. Mr. Chairman, I ask that my colleague have two minutes more in order that I may ask him a question.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. McKENZIE. I desire to ask my colleague, the gentleman from Vermont [Mr. GREENE], if it is not a fact that in the Regular Army a graduate of West Point, educated at the expense of the Government, is entitled to the consideration of which he now speaks; that is, the right of retirement solely?

Now, then, all you seek to do by this amendment is to give to the young man who by his own effort educates himself, prepares himself, and qualifies as a second lieutenant, and gets a commission, the right to be on the same ground as the man who gets a second lieutenant's commission and who has been educated at West Point at Government expense? Is not that fair?

Mr. GREENE of Vermont. That is better stated than when I tried to do it, when I was hinting at it myself a little while

ago. It comes right down, as I said just a moment ago, to the fact that unless you do this thing you will have the anomaly of two kinds of officers in the service, all held to the same obligation and responsibility, getting the same pay, and yet one having this handicap against him, for which no reason whatever can be given. And, moreover, this would not have been necessary, this proposed amendment, were it not for the fact that afterwards the War Department, and very likely advisedly, read into the language of our amendment what none of us ever considered it to mean when we originally proposed it to the House for adoption.

Mr. MADDEN. Mr. Chairman, I do not wish to be understood as opposing what I believe to be just legislation, and I consider this just. But I want to call the attention of the committee to this situation:

Criticism has been frequently made upon the floor of the House about men who have come in from civil life to the Army and have obtained commissions and are occupying useless places. But most of these men came in because they have peculiar knowledge of some phase of the war activities which are deemed essential to the successful conduct of the war. It is frequently stated on the floor that they came in because of pressure from influential people on the outside. Now, that can just as well apply to the men who are commissioned as second lieutenants in the Regular Army as professional officers, and I will cite a case which will serve as an illustration.

Into the training camps that we have had all over the United States men have come from civil life to compete for commissions, and it just so happens that boys who had rich and influential parents or friends, and who were able to place at the disposal of the commanding officers of the training camps automobiles, to be used whenever they pleased to take advantage of them, and to invite them to all kinds of social entertainments, were given commissions in the Regular Army, whereas the boys who had qualified without having such influences at work were given commissions in the National Army or the Reserve Corps.

I am speaking of something that I know. I happen to know cases where these boys were granted commissions in the Regular Army not because of any special qualification that they proved themselves to have at all, but simply because of the influence of their wealth on the commanding officer who had the right to mark up their standard of efficiency. I do not know how you are going to get around it, how you are going to discipline men who accept such favors, and then commission men into the regular service because of the favors.

But the practice exists in all the training camps and a great many of the men who are being placed in a position where they can be retired if injured are commissioned in the regular service as provisional officers now because of the conditions that I have described.

Mr. GORDON. Mr. Chairman, will it interrupt the gentleman if I ask him a question?

Mr. MADDEN. Not at all.

Mr. GORDON. My understanding is that they are required to take an examination prescribed by The Adjutant General before they can get a commission in the Regular Army.

Mr. MADDEN. No; they are commissioned in the Regular Army through the recommendation of the commanding officers of the training camps.

Mr. KAHN. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. KAHN. The condition that the gentleman refers to is due, no doubt, to the great expansion of the Regular Army. They had to get many new officers for the units of the Regular Army. On the other hand, many Regular Army officers of the higher grades were taken out of the Regular Army and put into the National Army. They are officers-to-day in the National Army.

Mr. MADDEN. I agree to that; but still they hold their status in the Regular Army, notwithstanding that. But the point I am making was not touched at all by the statement of the gentleman from California. My point, if I have not made it clear, is that of two young men of equal ability—one the son of poor parents, and the other the son of rich parents, who are able to entertain the commanding officer of the company in which these two young men served while they were in training—the one was commissioned in the Regular Army and the other one may not have been commissioned at all, or if so, he was commissioned in the Reserve.

Mr. GREENE of Vermont. Mr. Chairman, will the gentleman permit an interruption?

Mr. MADDEN. Yes.

Mr. GREENE of Vermont. I do not, of course, know of the special instance—

Mr. MADDEN. I am talking about a lot of instances, but I am only describing one.

Mr. GREENE of Vermont. The practice in the camps of which I am informed under these preparations for commissions in the Regular Army was something like this: The class that was preparing to qualify for reserve commissions was notified that a limited percentage of those men standing high enough in their studies would be permitted to take examination for a commission in the Regular Army apart from their test for a reserve commission, which they were taking anyway.

Mr. MADDEN. But anybody who had the influence to do the things prescribed would be certified for commission in the Regular Army. Otherwise they would be certified to the Reserve Corps.

Mr. SMITH of Michigan. That does not happen often.

Mr. MADDEN. That happens every day, if I am correctly informed.

Mr. KAHN. If the gentleman is correct in his statement that influence was used in favor of the rich young man to get a better position than the poor young man could obtain, then there ought to be an investigation of that matter.

Mr. MADDEN. I am sure about it.

Mr. KAHN. There should be in the Army of the United States no distinction as to class. The very purpose of the draft law was to destroy class distinctions in the armies of the United States.

Mr. McKEOWN. Mr. Chairman, will the gentleman yield?

Mr. KAHN. I will yield in a moment. If it has crept in in the commissioning of officers of the Army, decidedly there should be an investigation to determine the facts, and the officers who might be found guilty of it ought to be severely punished by the military courts-martial.

Now I yield to the gentleman from Oklahoma.

Mr. McKEOWN. I wanted to ask the gentleman whether or not he was aware that it was a common rumor throughout the different camps that there had been some discriminations made with reference to commissioned officers?

Mr. KAHN. I dare say that such statements have been made. The man, probably, who failed at the training camp, in his desire to get a commission, in explaining his failure, says, "Oh, I was discriminated against; I was not given a square deal"; and by repeating that statement to all his friends the impression goes abroad that there was favoritism. I know that there are many cases where men went into those camps with high hopes, trusting that they would be commissioned. They could not meet the requirements of the training, physically or mentally, perhaps. They were unequal to the task, and they dropped out. But the proposition stated by the gentleman from Illinois [Mr. MADDEN] is entirely a different one, and it is a serious proposition.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. KAHN. Yes.

Mr. MADDEN. Of course, you can not stop a captain from being influenced by such surroundings as I have described in favor of the young man whose father is placing an automobile at his service and inviting him to all kinds of social functions. You could not prevent him from favoring the boy, regardless of whether the boy was qualified or not. But I know lots of cases where that has happened.

Mr. KAHN. I desire to say that I have not come in contact with a single case of that kind.

Mr. MADDEN. The gentleman has been too busy writing the bill. He has not been outside where that happens.

Mr. KAHN. The city I come from had a training camp at the very outset. The gentleman visited the training camp and spoke to the young men who were attending the camp while the camp was in being over at Fort Myer.

Mr. GREENE of Vermont. Will my colleague yield?

Mr. KAHN. Yes.

Mr. GREENE of Vermont. My colleague has been a legislator for a great many years. Has he ever yet found a way of passing a law that will repeal certain tendencies of human nature?

Mr. KAHN. Oh, it is, of course, impossible to frame a law that will do that.

Mr. GREENE of Vermont. These cases arise out of a cussedness that probably no law can ever reach. You can get an individual case and punish it, but it is doubtful if you could prevent it.

Mr. McKENZIE. Is it not a fact that even if the statements of my colleague from Illinois [Mr. MADDEN] are correct, these young officers might get a commission as second lieutenants through favoritism, but after they got into the Army the first time they went up against an efficiency examination they would be out?

Mr. KAHN. They would be dropped—given an honorable discharge and probably would have to go into the draft.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

The Clerk read as follows:

Pay of clerks, messengers, and laborers, office of the Chief of Staff: One chief clerk, at \$2,750 (increase of \$500 submitted), \$2,500.

Mr. KAHN. Mr. Chairman, on page 18, lines 2 and 3, I move to amend by striking out the words "increase of \$500 submitted" and the parentheses.

The CHAIRMAN. The gentleman from California offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. KAHN: Page 18, lines 2 and 3, strike out "(increase of \$500 submitted)."

Mr. DENT. I ask unanimous consent that the words "increase submitted" wherever they occur on the page be stricken out.

The CHAIRMAN. The question is first on the amendment offered by the gentleman from California [Mr. KAHN].

The amendment was agreed to.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent that in the following lines on that page the words in parentheses may be stricken out. Is there objection?

There was no objection.

Mr. KAHN. Mr. Chairman, may I have the Clerk report the paragraph on page 18 as it reads with the amendment which has been adopted?

The CHAIRMAN. Without objection, the Clerk will report the paragraph as amended.

The Clerk read as follows:

Pay of clerks, messengers, and laborers, office of the Chief of Staff: One chief clerk, at \$2,750, \$2,500.

Mr. KAHN. Mr. Chairman, I move to amend further by striking out, in line 2, page 18, after the word "clerk," the words "at \$2,750."

The CHAIRMAN. The gentleman from California offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. KAHN: Page 18, line 2, after the word "clerk" strike out the words "at \$2,750."

Mr. ROBBINS. The gentleman will see, by looking at the other paragraphs, that the word "at" ought to remain, and simply the figures ought to be stricken out.

Mr. KAHN. The gentleman is correct. I ask to modify my amendment in the way the gentleman suggests.

The CHAIRMAN. The gentleman asks unanimous consent to modify his amendment in the way which the Clerk will report.

The Clerk read as follows:

Modified amendment offered by Mr. KAHN: Page 18, line 2, after the word "at," strike out "\$2,750."

The CHAIRMAN. Is there objection to the modification?

There was no objection.

The CHAIRMAN. The question is on the amendment as modified.

The amendment as modified was agreed to.

The Clerk read as follows:

One clerk, at \$2,250, \$2,250.

The CHAIRMAN. Without objection, the last figures, "\$2,250," in line 4, will be stricken out.

There was no objection.

The Clerk read as follows:

One gardener, at \$720.

Mr. MADDEN. Mr. Chairman, I move to strike out the last word. Where do they use the gardener in the office of the Chief of Staff; to keep the windows decorated? [Laughter.]

Mr. DENT. No; he is used in the Army War College.

Mr. MADDEN. What does he do; decorate the offices located there?

Mr. DENT. He takes care of the plants and flowers, keeps the grounds in condition so as to make them attractive.

Mr. COX. I wonder if it would not be better policy for the gardener to raise potatoes instead of flowers.

Mr. MADDEN. I do not know what he does raise unless it is bouquets for the men at the War College.

Mr. DENT. The gentleman knows that these are items that have been carried in the bill for years. The gentleman has been a long time in discovering this.

Mr. MADDEN. There are so many new problems involved in the conduct of the war that it is hard to discover them all at once.

The Clerk read as follows:

One hundred and eleven clerks, at \$1,800 each (increase of 32 submitted), \$199,800.

Mr. DENT. Mr. Chairman, I ask that all words included in parentheses on page 19 be stricken out.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent that the words in parentheses on page 19 be stricken out. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

Ordnance Department: Pay of 7,239 officers, \$16,743,807.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word. Will the gentleman state how many officers there are in this 7,239 in the Ordnance Department above normal? I want to ascertain what the increase is above the normal number.

Mr. DENT. In other words, what it was before the war. My recollection, offhand, is that there were something like 1,200 or 1,300 officers before the war.

Mr. KAHN. Will my colleague yield?

Mr. DENT. Yes.

Mr. MOORE of Pennsylvania. I am asking the question in order to gauge the number of increases in the Army.

Mr. DENT. I can give the gentleman the figures by looking them up.

Mr. MOORE of Pennsylvania. Can the gentleman at this point say about what the increase has been in the total number of officers of the Army?

Mr. DENT. I can by looking it up. I put the figures in the RECORD yesterday. There were before the war something like 7,500 officers in the Regular Army. We are now appropriating for 145,000 officers, that is an average, and we expect the number will reach 160,000.

Mr. MOORE of Pennsylvania. That was printed in the RECORD of yesterday?

Mr. DENT. Yes.

Mr. KAHN. I can give the gentleman an idea of the size of this increase by telling him that when the estimate was submitted to the committee in December they asked for pay of 2,000 ordnance officers, and now in this bill we are considering the matter of 7,239.

Mr. MOORE of Pennsylvania. That would indicate an increase of more than 5,000 officers since December last?

Mr. KAHN. Exactly.

Mr. MOORE of Pennsylvania. That is the information I was seeking.

Mr. KAHN. Of course, if the gentleman will allow me—

Mr. MOORE of Pennsylvania. Would that ratio of increase hold as to all the officers between December last and the present time?

Mr. KAHN. I think so.

Mr. MOORE of Pennsylvania. May I ask if the 7,239 officers in the Ordnance Department whose salaries are provided for include what we call the dollar-a-year men?

Mr. KAHN. No; the dollar-a-year men are civilians. The commissioned officers all receive salaries of the various grades in which they are commissioned.

Mr. MOORE of Pennsylvania. Some of the dollar-a-year men are operating under the Ordnance Department, are they not?

Mr. KAHN. I imagine they are, but they are still civilian employees.

Mr. MOORE of Pennsylvania. They wear the uniform?

Mr. KAHN. No; they do not. They do not wear a uniform at all; they are not commissioned.

Mr. MOORE of Pennsylvania. Until they are in the pay of the Government at something more than a nominal salary?

Mr. KAHN. Until they are in the Army subject to the rules and regulations of war.

Mr. MOORE of Pennsylvania. I want to get at that, because there are rumors floating about that men who obtain no pay, who are nominal employees of the Government, are wearing the uniform of the Army.

Mr. KAHN. I know of no instance of that kind.

Mr. LONGWORTH. May I ask if all these officers are non-combatant?

Mr. KAHN. Yes; they are noncombatant officers; but I am told that the Ordnance officers who go across the Atlantic and are near the base of supplies there—

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. KAHN. May I have one minute in which to finish this answer?

The CHAIRMAN. The gentleman is recognized in opposition to the amendment.

Mr. KAHN. The officers who go over there are subject to aeroplane attacks just the same as any other soldier.

Mr. FIELDS. Mr. Chairman, will the gentleman yield?

Mr. KAHN. Yes.

Mr. FIELDS. The Ordnance Department is not mentioned in the President's classification of noncombatant forces.

Mr. KAHN. They are not so classified.

Mr. LONGWORTH. But they are technically termed "non-combatant"?

Mr. KAHN. Yes; although they are not classified as non-combatant by the President's orders.

Mr. TILSON. From a military standpoint the gentleman will understand that they are not noncombatant. The Ordnance officers are really combatant, and the Medical Department and the chaplains are the only force that are not combatant from a military point of view.

Mr. SHALLENBERGER. The gentleman will recall that this question was asked of the Chief of Staff and he went on record before the committee as saying that the only noncombatants now recognized were the Medical Corps and the chaplains.

Mr. LONGWORTH. Did not the President recently make an order declaring certain branches to be noncombatant?

Mr. SHALLENBERGER. That is for the conscientious objector.

The Clerk read as follows:

Reserve veterinarians, \$68,000.

Mr. ROBBINS. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman of the committee a question. What is included in the reserve veterinarians? I want to direct the chairman's especial attention to this kind of a case that came to me: I have in my district two young men who graduated at a regular college for veterinarians. They are within the draft age, although they have practiced their profession, one of them for four years and the other one for two years. They were promptly drafted and taken into the ranks. I applied to the head of the veterinarian department here at Washington for a transfer of these men into the professional department as veterinarians, where their education, capacity, and training fitted them for service. Neither of them were men who could serve in the ranks very well, one being quite small in stature and the other being rather delicate. I was told there was not any method of release from the situation at this time, that they would have to remain in the ranks, and probably in the future they could be called into the service in their professional capacity. What is meant by this reserve veterinarians and what is the relief for the situation I present, if any?

Mr. DENT. This, of course, would not take care of that. Does the gentleman want to know how many that provides for?

Mr. ROBBINS. Yes. What is provided for in this item, page 21, line 4, "reserve veterinarians, \$68,000"?

Mr. CRAGO. They are the ones in the service that have been called to the service from the reserves.

Mr. KAHN. They are commissioned now.

Mr. ROBBINS. How many are there of those?

Mr. KAHN. Some thousands are now in the Army.

Mr. ROBBINS. There would not be many thousands if that is all you are going to pay for their salaries. If you are going to pay only \$68,000 for their pay in the Army, there would not be 1,000 of them, but very few.

Mr. KAHN. They were provided for originally in the national-defense act of June 3, 1916.

Mr. ROBBINS. I want information. I am not seeking to impose an amendment on this section, because I do not know myself what the full import of it is, but I would like to know something about it.

Mr. KAHN. Mr. Chairman, I rather think that it is a misprint, because the estimates that came down from the War Department were for \$700,000 for these reserve veterinarians.

Mr. ROBBINS. I am sorry I spoke, if that is the case.

Mr. KAHN. On page 21 of the committee's print of the bill the chairman of the committee will find that the original estimates were for \$700,000, and there was no request made by the department for an increase in that amount.

The appropriation for the last year, before we got into the war, was for \$68,000, so I rather think that that must be a misprint and that the amount should be really \$700,000.

Mr. DENT. I think there is some mistake there, and I ask unanimous consent that the item be passed.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent that this paragraph may be passed temporarily—

Mr. ROBBINS. With the hope in the meantime this may be corrected and my two men taken care of, I have no objection.

The CHAIRMAN. Does the gentleman yield the floor?

Mr. ROBBINS. I yield.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent that this paragraph may be passed temporarily with the right to return to it at some future time during the consideration of the bill. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

Nurses, \$26,724,000.

Mr. LITTLE. How many nurses are expected to be provided for by this item?

Mr. KAHN. I believe, if my memory is correct, that there were to be 30,000, and they are finding a great deal of difficulty in getting the number they require.

Mr. LITTLE. Are they to be male or female?

Mr. KAHN. Those are female nurses.

Mr. LITTLE. Another suggestion. Are there any colored nurses for the colored troops?

Mr. KAHN. Of that I have not been informed.

The Clerk read as follows:

Bureau of Insular Affairs: Pay of three officers, \$15,000.

Mr. LITTLE. Mr. Chairman, I would like to inquire, beginning line 11, in reference to the following language:

Provided, That during the existing emergency the President is authorized to appoint in the Officers' Reserve Corps and the National Army, for service in the Judge Advocate General's Department, in addition to the grades now authorized, officers of the grades of first lieutenant and captain from such citizens as he shall find to be physically, mentally, and morally qualified for appointment.

There are two questions I would like to ask: First, if it is intended that they shall be attorneys, and, second, how many are intended to be appointed? It seems to me we have got about enough noncombatant officers, anyway.

Mr. DENT. I will state to the gentleman this will be a limitation and a reduction in expenditures, because under the present law there can be no appointment of first lieutenants and captains in the Judge Advocate General's Department, and the department recommended this amendment so that they could put men in there with the rank of first lieutenant and captain instead of major and so on up.

Mr. LITTLE. I think that is a good idea.

Mr. DENT. And save money.

Mr. LITTLE. Are those men to be attorneys?

Mr. DENT. Yes.

Mr. LITTLE. It does not say so.

Mr. FIELDS. It is understood that the men must pass an examination.

Mr. LITTLE. It does not say so. They do not have to pass any examination; it simply provides that the President is authorized to appoint, and so forth.

Mr. DENT. This simply changes the present law so as to reduce the grade to first lieutenant and captain.

Mr. KAHN. I desire to say to the gentleman—

The CHAIRMAN. To whom does the gentleman yield?

Mr. LITTLE. I want to ask either of the gentlemen: Ought not there be something more than to say here that a man shall be physically, mentally, and morally qualified? There is no examination provided, he does not have to be an attorney, and it seems to me very poorly drawn.

Mr. DENT. Well, this is the language that was prepared in the War Department by the Judge Advocate General's Office itself, and they think it will take care of it.

Mr. LITTLE. I think it ought to be corrected. Another thing I want to say to the chairman, does not he think there should be some limitation on the number? Why, we have got plenty of noncombatant officers now.

Mr. DENT. Their number is fixed in the bill.

Mr. LITTLE. Not in connection with this.

Mr. DENT. The only difference is that we appropriate for the number of officers in the Judge Advocate General's Office.

Mr. LITTLE. I suppose that would limit the appointments. It seems to me there certainly should be some sort of examination.

Mr. DENT. I want to call the gentleman's attention to a question which was asked a moment ago in regard to the number of nurses. If the gentleman will look at page 267 of the hearings he will find that this item is intended for the purpose of providing 20,664 nurses.

At the time of this testimony, which was secured in January, I believe there were 4,300 in the service. The gentleman will find that on page 267 of the hearings.

Mr. LITTLE. That does not indicate whether there are to be any black nurses for black soldiers. I think it no more than fair that such provision be made. Those people are in on this war. They are all loyal Americans, and in these days when they go to war for the Republic they should be given every consideration. There is no place for a color line on the firing line.

Mr. DENT. No. No such thing as that is indicated there.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn.

Mr. MOORE of Pennsylvania. I would like to ask the gentleman from Alabama [Mr. DENT] if there would be any objec-

tion to an amendment to the paragraph requiring that those who are appointed shall have been actual practitioners at the bar during a period of years?

Mr. DENT. I think that is the rule now.

Mr. SHALLENBERGER. I will state to the gentleman the regulations require now that they shall have had two years of practice in some court.

Mr. MOORE of Pennsylvania. I do not want to put the gentleman on the witness stand, but I would like to know if it is not a fact that some men have been appointed to the Judge Advocate General's staff who are not learned in the law as we understand that term?

Mr. DENT. I have never heard of any cases of that kind.

Mr. MOORE of Pennsylvania. Is it true that the regulations require that these appointees should be learned in the law?

Mr. GREENE of Vermont. I think I can inform the gentleman that the general policy is this: I have found out from recent experience that when a candidate for admission in the Judge Advocate's department presents himself he is requested to have his relationship to the department for that candidacy established through some officer of the American Bar Association in this city. There is where he is certified and vouched for in some way.

Mr. KAHN. Will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. KAHN. I think the gentleman has in mind the thought that some years ago the Judge Advocate General selected certain officers of the Army to go to the law schools in this city for the purpose of educating them in the law with the ultimate purpose of having them detailed to his department. Congress at that time took the matter up and decided to strike out provisions of that kind from the bill. And I understand that ever since then the men who have been commissioned in the Judge Advocate General's Department have been lawyers of recognized standing.

Mr. LITTLE. Do you not think we ought to put an amendment right in there, so that they would be?

Mr. KAHN. Well, there is no doubt in my mind but that the Judge Advocate General is exceedingly anxious to get men learned in the law, because the business of his department is growing enormously. He is not going to commission men in his department who are not lawyers, and who can not review the various classes of cases that are submitted to the Judge Advocate's Department for final action.

Mr. MOORE of Pennsylvania. Mr. Chairman, I offer an amendment.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn. The gentleman from Pennsylvania offers an amendment, which the Clerk will report.

The Clerk read as follows:

By Mr. MOORE of Pennsylvania: On page 2, line 16, after the word "citizens" insert "learned in the law."

Mr. KAHN. Mr. Chairman, I make the point of order on that on the ground that we have passed that paragraph.

The CHAIRMAN. The Chair does not think we have come to it yet.

Mr. KAHN. Oh, I think we are several lines below it.

The CHAIRMAN. On page 21?

Mr. KAHN. Yes.

The CHAIRMAN. To what line does the gentleman from Pennsylvania propose his amendment?

Mr. MOORE of Pennsylvania. It is to the proviso on page 21, beginning with line 11. I am not sure we have passed it.

The CHAIRMAN. That paragraph was passed, the Chair will state to the gentleman, some time ago.

Mr. MOORE of Pennsylvania. It has been passed?

Mr. LITTLE. Mr. Chairman, I ask unanimous consent that we return to it and consider the gentleman's amendment. It will take but a minute.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent to return to the paragraph beginning on line 11, page 21.

Mr. DENT. I hope we will not delay the reading of the bill by any such matter as that.

Mr. GREENE of Vermont. Will the gentleman from Pennsylvania let me call his attention to the fact that the amending of this law would not change the original statute on which these appropriations are based?

Mr. FIELDS. Mr. Chairman, I object.

The CHAIRMAN. The gentleman from Kentucky objects, and the Clerk will read.

The Clerk read as follows:

For expenses of courts-martial, courts of inquiry, military commissions, retiring boards, and compensation of reporters and witnesses attending same, and expenses of taking depositions and securing other evidence for use before the same, \$350,000.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Pennsylvania moves to strike out the last word.

Mr. MOORE of Pennsylvania. Mr. Chairman, the matter of courts-martial has been very generally commented upon recently, and it has been suggested that some of the sentences have been exceptionally severe. I realize that in times of war it is necessary to maintain discipline, and that the courts, particularly the courts-martial, should be respected, and that the men in the ranks, as well as officers, should adhere strictly to the regulations. But over on my desk are a number of clippings that have been forwarded to me from time to time with respect to the punishments meted out by courts-martial to some of the men, some of whom have been absent without leave and some of whom have offended their officers in various ways. Those punishments range all the way from a year to 20 years in prison. Now, these are war times, and such penalties as 15 or 20 years' imprisonment may be excused on the ground that we are at war and that discipline must be maintained in the Army.

But one of the things we are fighting for is freedom, or the lessening of the burdens which one man with arbitrary power is inclined to impose upon another, and I have been wondering whether at some point in this bill—and this is the proper point—attention should not be called to the fact that the public is beginning to think that some of these sentences by American courts-martial are extremely severe. They are not, of course, such punishments as would be meted out by a court or by a jury. There is some heart in the ordinary civilian judge. He understands, or ought to understand, the element of human sympathy. He understands as well, of course, the necessity of enforcing the law. But a military board is a different tribunal; it is a little less formal perhaps and a little more severe when it comes to punishments; and it is a question in the minds of many people whether harsh sentences, such as courts-martial sometimes impose, are actually as effective as they are intended to be.

Granted that a boy may have left the camp without leave, or he may have gone to see a sick relative, or that he had some call which he felt himself obliged to respond to, notwithstanding the regulations. Granted that it was wrong for him to violate those regulations. Do you make a better soldier out of that fellow by trying him and sentencing him to 20 years' imprisonment? Granted that his immediate commanding officer, who may not have been his superior in intelligence, has been offended at something he has done, and that he has been drawn before a court-martial for insubordination. Does it make him a better soldier or more subservient to the regulations to send him into limbo for 15 or 20 or 25 years?

I bring this matter to the attention of the House because this is the one place where these matters can be discussed.

Mr. CANNON. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. CANNON. If it is 15 or 20 years it will keep him out of the trenches, will it not?

Mr. MOORE of Pennsylvania. Yes; it will keep him out of the trenches. That may be the purpose of it. But I should hope not for the sake of the culprit or of the Army itself.

Mr. GREENE of Vermont. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. GREENE of Vermont. The fear that some of these sentences might be inflicted upon mischievous young gentlemen in the service who had committed a breach of the regulations, so that they might be kept out of the trenches, led to a recasting of the policy that might be followed by the Judge Advocate General, and in order that the sentence imposed would not have the effect of doing away with active field duty on the part of the man sentenced, it has led in some cases to a postponement of the sentence, so that the soldier might be required to serve first.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. MOORE of Pennsylvania. The gentleman is well informed in matters of war. He was a soldier himself. I want to ask him to answer my question, Whether it makes the man a better soldier by giving him an undue punishment?

Mr. GREENE of Vermont. It makes a difference, due to the circumstances of the case, just as it does in civil life. A captain has a certain amount of undefined, but generally understood, latitude of power in the regulation of discipline in his command. And if he is a wise man, as in the case of a wise employer of labor in civil life, he may make use of a milder kind of discipline that does not appear on the court record.

Mr. MOORE of Pennsylvania. That is all right if the captain uses wisdom and discretion. But if he has an ill temper or a bad liver or is out of sorts with the world and with his regi-

ment it may turn out that his treatment of the men in his company may be unduly severe.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. CANNON. I want to say to the gentleman from Pennsylvania that I had a letter from two boys who went from my district into the Army down at Houston, and after they had been there for some time they wanted to get a furlough to go home and see the folks. They were homesick. They could not get the furlough, and the result was that they went home and had their little visit and then turned around and came back.

Mr. MOORE of Pennsylvania. Were they court-martialed?

Mr. CANNON. They were arrested. I have not heard from them since, but I went to The Adjutant General's office and put it up to them. I said I have not any doubt—here is the letter—but what those boys knew better, but they were homesick. He said I have not much doubt about it either. He said that is one thing that newly enlisted soldiers and newly drafted soldiers have to contend with. Homesickness is a very serious matter. I took it for granted that they had some punishment, although I guess it was not very severe.

Mr. GORDON. The gentleman had better send his secretary to see what the punishment was.

Mr. MOORE of Pennsylvania. Having returned to the camp, I would say they were not attempting to escape the service. They were wrong in leaving camp, but a 15-year sentence would not make good soldiers of them, surely.

Mr. QUIN. Mr. Chairman, I move to strike out the last word. I appreciate the sentiment expressed by my friend from Pennsylvania, but he fails to recognize that we are now at war and that discipline must be enforced, and that the proper authorities to enforce the discipline in the Army must of necessity be the Army officers.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. QUIN. Yes.

Mr. MOORE of Pennsylvania. I distinctly recognize the value of discipline, and I am in favor of discipline all through, but I was suggesting that some of these court-martial sentences seem to be very harsh.

Mr. QUIN. I admit that they seem harsh, but we are at war, and we must expect these Army officers to maintain discipline with a firmer hand than the courts over citizens by civil-court proceedings. These young men who violate the regulations of the Army do it knowingly—whether it is willful or not I am not able to say—but if there is any case where Army officials have administered undue punishment to the soldier, he has the right to appeal to the White House to the Commander in Chief, that great man who has the milk of human kindness in his heart and can appreciate wrong from right. It would be a dangerous thing for this Congress to in any way handicap the officers of the Army in enforcing discipline.

I admit that it seems hard for a fellow who gets homesick, who leaves a camp and gets a sentence, but it must be held up as an example to all the rest of the soldiers in the camp, because if one or a dozen or fifty can leave a camp without leave and not be subject to punishment, the whole camp would be demoralized, and for that reason I think we had better let the Army officials enforce discipline according to their judgment of what is best for the Army. In times of peace it might be all right to have the sentences as lenient as possible.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SANDERS of Louisiana. Mr. Chairman, I ask unanimous consent to publish in the RECORD the following telegram in reference to the Red Cross drive.

The CHAIRMAN. The gentleman from Louisiana asks unanimous consent to insert a telegram in the RECORD. Is there objection?

There was no objection.

The telegram is as follows:

BOGALUSA, La., May 27, 1918.

Hon. J. Y. SANDERS, M. C.,
Washington, D. C.:

We are happy to advise that the citizens of Bogalusa and Washington Parish have given over \$22,000 to the Red Cross drive, which closed to-day. Our allotment of \$10,000 was oversubscribed on the first day of the drive. In so far as we can learn, your home city and parish have made the best record in the State.

J. H. CASSIDY,
Parish Chairman of Red Cross.
W. C. FLANDERS,
Secretary.

Mr. LITTLE rose.

Mr. DENT. How much time does the gentleman want?

Mr. LITTLE. Just a moment; I want to correct a misapprehension.

Mr. DENT. Will three minutes do?

Mr. LITTLE. Yes.

Mr. DENT. Then, Mr. Chairman, at the expiration of that time I ask unanimous consent that all debate on the paragraph and all amendments thereto close.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent to close all debate on the paragraph and amendments thereto at the expiration of three minutes. Is there objection?

There was no objection.

Mr. LITTLE. Mr. Chairman, I do not want the suggestion made by the gentleman from Pennsylvania [Mr. Moore] to go unchallenged. It would be a gross injustice to the military courts-martial and to the officers. As a matter of fact, the officers of the courts-martial in other years, as a rule, have not been particularly harsh. Of course, it sometimes happens that the sentence will be hard on a man, but that also is true in the civil courts. The military courts-martial are not governed by the captain's say-so. The captain may be pretty hard on one of the soldiers, but when it gets to the court-martial that does not count. The judge advocate, the prosecuting officer, is not always much of a lawyer. He may come from civil life, and while the commanding officer gets mad all through, the members of the court-martial know it, and they do not act from his recommendation. They depend on the evidence—or did formerly. They are not all selected from the same regiment, and frequently do not know the officer making the charge. They are scattered, selected from various regiments.

I think you will find, as a rule, that these boys do not get much worse sentences than they deserve, and sometimes, perhaps, less. I do not say it never happens otherwise, but it would be an injustice to the officers of the Army to let that statement that the sentences are too harsh go unchallenged. It has been suggested that discipline is necessary. That largely depends upon the personality of the captain or the colonel of the regiment. The maintenance of discipline depends on his personality. The fellows who go before the courts-martial, as a rule, are men who need some attention. I want to get that straight in the RECORD, so that the statement will not go unchallenged. If at the present time there are long sentences for small offenses, the matter should be given attention. Of course, very likely the bureaucracy, unfamiliar with actual field work, may have exaggerated views of what punishment should be inflicted for trivial infractions of the rules. But when our officers have had actual experience this will be remedied.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

For additional 20 per cent increase of pay of enlisted men on foreign service, \$89,806,752.

The CHAIRMAN. There is a typographical error in the figures \$89,806,752 in line 4, page 24. There should be a comma instead of a period. Without objection, the Clerk will be authorized to make the correction.

There was no objection.

Mr. ROBBINS. That amount must be a mistake. It does not amount to \$89,000,000, does it?

Mr. DENT. That is the amount figured by the Quartermaster's Department that will be due under the law.

Mr. KAHN. The enlisted men get a 20 per cent increase for foreign service; and as by the end of 1919 we expect to have 3,000,000 men on the other side of the Atlantic Ocean, the gentleman can readily see that the 20 per cent increase in salary will figure out a considerable amount.

Mr. FIELDS. It is a matter of law.

The CHAIRMAN. The Clerk will read.

The Clerk read to the conclusion of line 20, on page 31.

Mr. MOORE of Pennsylvania. Mr. Chairman, does not the gentleman from Alabama think we have gone far enough to-night?

Mr. DENT. Yes; I think we have. I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and Mr. GARNER having taken the chair as Speaker pro tempore, Mr. GARRETT of Tennessee, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (H. R. 12281) making appropriations for the support of the Army for the fiscal year ending June 30, 1919, had come to no resolution thereon.

LEAVE TO EXTEND REMARKS.

Mr. HASTINGS. Mr. Speaker, I ask permission to extend my remarks in the RECORD in order to print a short patriotic address delivered by Hon. Houston B. Teehee, Register of the Treasury, to his coworkers down there.

The SPEAKER. The gentleman asks unanimous consent to extend his remarks in the RECORD by inserting a patriotic address delivered by Mr. Teehee. Is there objection?

There was no objection.

Mr. LINTHICUM. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Maryland asks unanimous consent to extend his remarks in the Record. Is there objection?

Mr. WALSH. On what subject?

Mr. LINTHICUM. On Adjourning Politics.

Mr. WALSH. The gentleman's own remarks or an editorial?

Mr. LINTHICUM. An editorial.

Mr. WALSH. I object.

SENATE BILLS AND JOINT RESOLUTIONS REFERRED.

Under clause 2, Rule XXIV, Senate bills and joint resolutions of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 1804. An act for the relief of George T. Hamilton; to the Committee on War Claims.

S. J. Res. 143. Joint resolution authorizing the acceptance by members of the military or naval forces of the United States of decorations from the government of any of the countries concurrently engaged with the United States in the prosecution of the present war, and the issuance by the United States of decorations to members of the military and naval forces of said countries; to the Committee on Military Affairs.

S. J. Res. 139. Joint resolution for the appointment of three members of the Board of Managers of the National Home for Disabled Volunteer Soldiers; to the Committee on Military Affairs.

S. J. Res. 155. Joint resolution providing for the filling of a vacancy which will occur July 2, 1918, in the Board of Regents of the Smithsonian Institution of the class other than Members of Congress; to the Committee on the Library.

S. J. Res. 141. Joint resolution amending the act of July 2, 1909, governing the holding of civil-service examinations; to the Committee on Reform in the Civil Service.

S. J. Res. 134. Joint resolution to reimburse soldiers and officers for uniforms and equipment lost on board the *Tuscania* February 5, 1918, and in other like cases; to the Committee on Military Affairs.

S. 924. An act for the relief of Delilah Siebenaler; to the Committee on Claims.

S. 463. An act for the relief of the heirs of Joshua Nicholls; to the Committee on War Claims.

S. 304. An act for the relief of Peter McKay; to the Committee on Claims.

S. 280. An act for the relief of Alfred Sjostrom; to the Committee on Claims.

S. 1923. An act for the relief of John Doyle, alias John Geary; to the Committee on Invalid Pensions.

S. 4244. An act for the relief of entrymen within the Castle Peak Irrigation project, in Utah; to the Committee on the Public Lands.

S. 57. An act for the relief of Kate Canniff; to the Committee on Claims.

S. 2975. An act for the relief of Katherine Macdonald; to the Committee on Claims.

S. 933. An act to authorize the Secretary of the Interior to issue patent for certain land to school district No. 9, of Sanders County, Mont.; to the Committee on the Public Lands.

S. 1889. An act revoking authority to lease Sibley Island, in the Missouri River, to the city of Bismarck, N. Dak.; to the Committee on the Public Lands.

S. 2552. An act to provide for a leave of absence for homestead entrymen in one or two periods, and for longer times; to the Committee on the Public Lands.

S. 2654. An act providing for the appointment of two additional district judges in the northern district of the State of Illinois; to the Committee on the Judiciary.

S. 2704. An act for the acquisition of additional land at the Leon Springs Military Reservation, Tex.; to the Committee on Military Affairs.

S. 2714. An act authorizing the removal of stumps from cut-over Oregon and California lands; to the Committee on the Public Lands.

S. 2910. An act providing for an additional judge for the northern district of California; to the Committee on the Judiciary.

S. 3125. An act for the relief of certain enlisted men of the United States Navy; to the Committee on Naval Affairs.

S. 3217. An act providing for the appointment of an additional district judge for the western judicial district of the State of North Carolina; to the Committee on the Judiciary.

S. 3399. An act to amend an act approved May 27, 1908 (35 Stat., 417, 418), and for other purposes; to the Committee on Naval Affairs.

S. 3405. An act to amend the naval appropriation act approved Aug. 29, 1916, relative to the loss of pay by officers and enlisted men of the Navy and Marine Corps who are absent from duty on

account of sickness or disease resulting from their own misconduct; to the Committee on Naval Affairs.

S. 3527. An act to amend an act entitled "An act to provide for the settlement of the claims of officers and enlisted men of the Army for loss of private property destroyed in the military service of the United States," approved March 3, 1895; to the Committee on Military Affairs.

S. 3735. An act to provide for enlistments in the National Guard of the District of Columbia, and for other purposes; to the Committee on Military Affairs.

S. 4365. An act to authorize the President to make provision for the care and treatment of persons discharged from the military or naval forces of the United States who are citizens of any nation at war with a nation with which the United States is at war; to the Committee on Military Affairs.

S. 4135. An act to amend the act of September 1, 1916, entitled "An act to amend an act entitled 'An act to provide for the appointment of a district judge, district attorney, and marshal for the western district of South Carolina, and for other purposes,' approved March 3, 1915, so as to provide for terms of the district court to be held at Anderson, S. C." so as to change the time of holding courts in the western district of South Carolina; to the Committee on the Judiciary.

S. 4423. An act relating to the deposit of copyrighted books upon medical and allied subjects; to the Committee on Patents.

S. 4428. An act to amend section 272 of an act entitled "An act to codify, revise, and amend the penal laws of the United States," approved March 4, 1909; to the Committee on the Judiciary.

S. 4498. An act to amend section 13 of an act entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917; to the Committee on Military Affairs.

S. 4477. An act authorizing certain persons formerly connected with the American embassy at Berlin to accept pieces of plate presented to them by the British Government; to the Committee on Foreign Affairs.

S. 3900. An act to amend section 5172 of the Revised Statutes of the United States; to the Committee on Banking and Currency.

S. 4277. An act providing for the protection of the uniform of friendly nations, and for other purposes; to the Committee on the Judiciary.

S. 4166. An act to amend section 3 of an act of Congress approved February 23, 1887 (vol. 24, Stat. L., ch. 210, p. 409), entitled "An act to provide for the execution of the provisions of article 2 of the treaty concluded between the United States of America and the Emperor of China on the 17th day of November, 1880, and proclaimed by the President of the United States on the 5th day of October, 1881"; to the Committee on Foreign Affairs.

S. 3384. An act to amend the public-building act, approved March 4, 1913; to the Committee on Public Buildings and Grounds.

S. 4127. An act to authorize the W. M. Ritter Lumber Co., a corporation, to construct bridges across the branches and tributaries of the Big Sandy River and their tributaries, in the counties of Buchanan and Dickenson, in the State of Virginia; to the Committee on Interstate and Foreign Commerce.

S. 4154. An act granting to the trustees of the Methodist Episcopal Church of Bowdoin, Mont., for the benefit of the Methodist Episcopal Church, at Bowdoin, Mont., lots 12 and 13, in block 21, town site of Bowdoin, State of Montana; to the Committee on the Public Lands.

S. 3945. An act to authorize the President of the United States to appoint Fred H. Gallup major of Field Artillery in the United States Army; to the Committee on Military Affairs.

S. 4445. An act granting the consent of Congress to Marion and Horry Counties, S. C., to construct a bridge across Little Pee Dee River; to the Committee on Interstate and Foreign Commerce.

S. 72. An act concerning actions on account of death or personal injury within places under the exclusive jurisdiction of the United States; to the Committee on the Judiciary.

S. 3663. An act authorizing the Cowlitz Tribe of Indians, residing in the State of Washington, to submit claims to the Court of Claims; to the Committee on Indian Affairs.

S. 1847. An act to authorize the addition of certain lands to the Wyoming National Forest; to the Committee on the Public Lands.

S. 4023. An act amending an act entitled "An act authorizing and directing the Secretary of the Interior to sell to the city of Los Angeles, Cal., certain public lands in California; and granting rights in, over, and through the Sierra Forest Reserve, the Santa Barbara Forest Reserve, and the San Gabriel Timberland

Reserve, Cal., to the city of Los Angeles, Cal.," approved June 30, 1906; to the Committee on the Public Lands.

S. 3392. An act for furnishing water supply for miscellaneous purposes in connection with reclamation projects; to the Committee on the Public Lands.

S. 3571. An act granting lands for school purposes in lots No. 111 in each of the town sites of Fort Shaw and Simms, Sun River reclamation project, Montana; to the Committee on the Public Lands.

S. 3570. An act granting lands for school purposes in Government town sites on reclamation projects; to the Committee on the Public Lands.

S. 3943. An act to provide for the disposition of public lands withdrawn and improved under the provisions of the reclamation laws, and which are no longer needed in connection with said laws; to the Committee on the Public Lands.

S. 1760. An act to authorize the sale and disposal of an island in the Coosa River, in the State of Alabama; to the Committee on the Public Lands.

S. 954. An act to amend an act approved June 22, 1910, entitled "An act to provide for agricultural entries on coal lands"; to the Committee on the Public Lands.

S. 950. To provide for the nonmineral entry of lands withdrawn, classified, or reported as containing coal, phosphate, nitrate, potash, oil, gas, or asphaltic minerals in Alaska; to the Committee on the Public Lands.

S. 939. An act relating to the duties of registers of United States land offices and the publication in newspapers of official land-office notices; to the Committee on the Public Lands.

S. 93. An act to consolidate national forest lands; to the Committee on the Public Lands.

S. 4451. An act to provide for allowances for and minimum pay of Army field clerks, to provide for increased pay to Army field clerks for service beyond the continental limits of the United States, and to provide quarters or commutation thereof to Army field clerks in certain cases; to the Committee on Military Affairs.

S. 2460. An act authorizing the issuance of patent to the Milk River Valley Gun Club; to the Committee on the Public Lands.

S. 4471. To declare unlawful associations purposing by physical force, violence, or injury to bring about any governmental, social, industrial, or economic change in the United States, and prescribing punishment for persons engaged in the activities of such associations, and for other purposes; to the Committee on the Judiciary.

S. 4557. To provide for vocational rehabilitation and return to civil employment of disabled persons discharged from the military or naval forces of the United States, and for other purposes; to the Committee on Education.

S. 3124. An act for the relief of Francis M. Atherton; to the Committee on Invalid Pensions.

S. 3566. An act authorizing the President to appoint Second Lieut. Ansel G. Wineman as a provisional second lieutenant in the Regular Army; to the Committee on Military Affairs.

S. 3002. An act for the relief of the Copper River & Northwestern Railway Co.; to the Committee on Claims.

S. 2896. An act for the relief of Elizabeth Marsh Watkins; to the Committee on Claims.

S. 2205. An act for the relief of Isaac J. Reese; to the Committee on Invalid Pensions.

S. 1738. An act for the relief of the Southern States Lumber Co.; to the Committee on Claims.

S. 1090. An act for the relief of the Alaska Steamship Co.; to the Committee on Claims.

S. 921. An act for the relief of James Duffy; to the Committee on Invalid Pensions.

S. 100. An act to authorize the Secretary of the Interior to issue patent for certain lands in the State of Utah to Cyrena E. Young; to the Committee on the Public Lands.

S. 180. An act for the relief of Ellen M. Willey, widow of Owen S. Willey; to the Committee on Invalid Pensions.

S. 1879. An act for the relief of John C. Hesse; to the Committee on Military Affairs.

S. 2097. An act for the relief of Charles S. Fries; to the Committee on Claims.

CONTESTED ELECTION CASE—STEELE AGAINST SCOTT OF IOWA (H. REPT. NO. 595).

Mr. WILSON of Louisiana. Mr. Speaker, I desire to give notice that on next Tuesday I shall call up the contested election case of Steele against Scott, from the eleventh district of Iowa. I have conferred with the majority leader and the minority leader.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. WILSON of Louisiana. Yes.

Mr. MOORE of Pennsylvania. The gentleman does not expect much discussion in that case, does he?

Mr. WILSON of Louisiana. So far as I know, I do not expect there will be much discussion; but of course it is impossible to tell.

Mr. MOORE of Pennsylvania. It is a unanimous report of the committee?

Mr. WILSON of Louisiana. A unanimous report of Committee on Elections No. 1.

MILITARY ACADEMY APPROPRIATIONS.

Mr. DENT. Mr. Speaker, I ask unanimous consent to disagree to the Senate amendments to the Military Academy appropriation bill, H. R. 11185, and ask for a conference.

The SPEAKER pro tempore. The gentleman from Alabama asks unanimous consent to disagree to the Senate amendments to the Military Academy appropriation bill and ask for a conference. Is there objection?

There was no objection; and the Speaker pro tempore appointed as conferees on the part of the House Mr. DENT, Mr. FIELDS, and Mr. KAHN.

ADJOURNMENT.

Mr. DENT. I move that the House do now adjourn. The motion was agreed to; accordingly (at 5 o'clock and 33 minutes p. m.), under the order heretofore made, the House adjourned until Friday, May 31, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Secretary of War, submitting a proposed clause of legislation authorizing and directing the accounting officers of the Treasury to allow and credit in the accounts of Brig. Gen. Frederic V. Abbot, Engineers, National Army, the sum of \$4,000 (H. Doc. No. 1140), was taken from the Speaker's table, referred to the Committee on Appropriations, and ordered to be printed.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 11874) for the refund of duties paid on materials destroyed by fire; Committee on Ways and Means discharged, and referred to the Committee on Claims.

A bill (H. R. 11677) granting a pension to Samuel L. Lilly; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. MONDELL: A bill (H. R. 12319) authorizing an exchange of lands by the Mountain Home Co., of Glenrock, Wyo.; to the Committee on the Public Lands.

By Mr. BENJAMIN L. FAIRCHILD: Joint resolution (H. J. Res. 296) proposing an amendment to the Constitution of the United States limiting the rights of suffrage of citizens of the United States; to the Committee on the Judiciary.

By Mr. WOOD of Indiana: Joint resolution (H. J. Res. 297) suspending section 9 of an act entitled "An act to regulate and improve the civil service of the United States," approved January 16, 1883; to the Committee on Reform in the Civil Service.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ELLIOTT: A bill (H. R. 12320) granting a pension to Lola E. Hutsonpillar; to the Committee on Invalid Pensions.

By Mr. FRENCH: A bill (H. R. 12321) for the relief of Clarence Hazelbaker; to the Committee on the Public Lands.

By Mr. GARLAND: A bill (H. R. 12322) granting a pension to Lizzie K. Thorpe; to the Committee on Pensions.

By Mr. KEARNS: A bill (H. R. 12323) granting an increase of pension to Richard L. Chaney; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12324) granting an increase of pension to Martin L. Ramsey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12325) granting an increase of pension to George Kesinger; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12326) granting an increase of pension to Edson M. Gaskill; to the Committee on Invalid Pensions.

By Mr. KETTNER: A bill (H. R. 12327) granting an increase of pension to Sarah A. Salter; to the Committee on Pensions.

By Mr. NEELY: A bill (H. R. 12328) granting an increase of pension to Enos Snodgrass; to the Committee on Invalid Pensions.

By Miss RANKIN: A bill (H. R. 12329) granting an increase of pension to Beverly W. Lemert; to the Committee on Invalid Pensions.

By Mr. ROMJUE: A bill (H. R. 12330) granting an increase of pension to William Tinkham; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12331) granting a pension to Catherine Varner; to the Committee on Invalid Pensions.

By Mr. RUBEN: A bill (H. R. 12332) granting an increase of pension to John H. Dunkleburg; to the Committee on Invalid Pensions.

By Mr. WOOD of Indiana: A bill (H. R. 12333) granting a pension to Julia A. Gardner; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. CANNON: Petition of Rev. William Fulton and others, of Wellington, Ill., for repeal of act increasing postage on second-class mail matter; to the Committee on Ways and Means.

By Mr. DRUKKER: Memorial of Lakeview Council, No. 217, Sons and Daughters of Liberty, indorsing House bill 10846, fixing a one-third fare rate to enlisted men desiring to visit their homes; to the Committee on Interstate and Foreign Commerce.

By Mr. ELSTON: Resolution of Oakland (Cal.) women's committee of the Council of National Defense, urging the passage of the Barkley bill; to the Committee on the Judiciary.

By Mr. FULLER of Illinois: Petitions of Samuel Gompers, president of the American Federation of Labor; also of the Dixon Woman's Club, of Dixon; the Chicago Piano and Organ Association, of Chicago; the Woman's Civic Club, of Rivinia; Local Union No. 1722, United Mine Workers of America, of Oglesby; Chicago Photo Engravers' Union, No. 5, of Chicago; and the Woman's Christian Temperance Union of Putnam County, all in the State of Illinois, asking the repeal of the zone system for second-class mail as provided in the war-revenue act; to the Committee on Ways and Means.

By Mr. HAMILTON of New York: Resolution adopted at a public meeting held at Bemus Point, N. Y., and a petition of the Lakewood (N. Y.) Methodist Episcopal Church, favoring the adoption of an amendment to the Constitution which will prohibit the practice of polygamy and polygamous cohabitation; to the Committee on the Judiciary.

By Mr. HILLIARD: Resolutions adopted by the Medical Society of the City and County of Denver, urging that the services of women physicians be utilized in the present war; to the Committee on Military Affairs.

By Mr. RAKER: Letter from the San Francisco Center of the California Civic League, protesting against the zone system and indorsing the Army nurse bill; to the Committee on Military Affairs.

By Mr. SNYDER: Petition of residents of Clark Mills, N. Y., favoring early enactment of the war prohibition measure, so called; to the Committee on the Judiciary.

By Mr. TAGUE: Letter of George W. Prentiss & Co., Holyoke, Mass., protesting against the proposed postponement of increases in publishers' postal rates effective July 1; to the Committee on Ways and Means.

Also, letter of Frank E. Fitts Manufacturing & Supply Co., Boston, Mass., protesting against postponement of application of increases of postal rates for publishers effective July 1; to the Committee on Ways and Means.

Also, letter of John Hood Co., Boston, Mass., protesting against postponement of application of increases in postal rates for publishers effective July 1; to the Committee on Ways and Means.

Also, letter from Union Label Trades, American Federation of Labor, Washington, D. C., protesting against increases in postal rates for publishers effective July 1; to the Committee on Ways and Means.

By Mr. VARE: Memorial of the Philadelphia Board of Trade, protesting against the allotment of shipping to Philadelphia as announced by Maj. Gen. Goethals; to the Committee on Interstate and Foreign Commerce.

SENATE.

Friday, May 31, 1918.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we seek Thy grace and wisdom that we may desire no higher good than that which comes from Thee, that we may have our delight in Thy law and in people that do Thy will, that our desire may be the establishment of Thy kingdom and our purpose the glory of Thy name. We pray Thee to help

us to put away from us every evil thing and guide us in Thy way that we may accomplish Thy divine purpose in us as a nation. We ask it for Christ's sake. Amen.

The Vice President being absent, the President pro tempore (Mr. SAULSBURY) assumed the chair.

The Journal of the proceedings of Tuesday, May 28, 1918, was read and approved.

SELECTIVE DRAFT—GEN. LEONARD WOOD.

Mr. JOHNSON of California. Mr. President, recently I had occasion to advert to the disproportionate burden placed upon some of the States of the Union by the quota for the present draft. I pointed out at that time that the enthusiasm of those States which had responded to the appeal of the Nation for volunteers was penalized by the method adopted.

I desire to read into the RECORD a letter upon this subject which has come to me from V. S. McClatchy, of the Sacramento Bee, a gentleman of the highest standing, very well known in California, with three sons in the service:

In connection with your effort to induce, on the part of the administration, proper allowance to California and other States who have exceeded their conscription quota through the volunteer movement, and particularly as affecting the case of California, this information will be of interest to you.

Under the policy adopted, as you point out, California will be penalized for her patriotism in volunteering. She will be called upon for a quota far in excess of the proportion demanded from a number of other States.

One result of this will be that our labor supply, already very gravely depleted, will be still further decreased. Farmers are probably disinclined to enlarge their field operations because of the probability that the crops can not be harvested through lack of labor at the proper time, and because of the further probability that the cost of such labor as can be secured will be so excessive as to make a loss instead of a profit.

Ralph Merritt, food administrator for this State, declared in an address on May 18, as per clipping inclosed, that California has supplied more food to the allies per capita than any other State in the Union, and that she is sending forward to the allies 50,000 tons of foodstuffs a month. California, as you know, because of climatic and soil conditions, can produce enormously in excess of what she is now producing, and far beyond the possibilities of most States. What will handicap her in going to the limit of her capabilities in this line is, in part, shortage of labor, and the policy of the administration in placing upon her a disproportionate conscription burden will react upon the whole Nation and her allies in the curtailing of the food production in this State.

Sincerely, yours,

V. S. McCLATCHY.

This, Mr. President, but adds to that which I said upon the subject some weeks ago and demonstrates not only that an injustice is done when the country asks for volunteers in not giving credit to those volunteers in the draft quota, but in addition to that seriously affects the work which must be done behind the lines and the furnishing of indispensable supplies to our own country and our allies.

Mr. President, while I am upon my feet there is one other matter to which in a few sentences I desire to advert. I wish to express my very deep regret that in this crisis the services of such a distinguished soldier as Gen. Wood should not be utilized.

I speak but a personal opinion. I do not know Gen. Wood, except as the Nation knows him, as one of our most accomplished, able, and intrepid commanders—an officer with a brilliant record, whose services to the Republic have entitled him to the highest esteem, indeed the affection, of our people.

It is in this day, Mr. President, when "politics is adjourned" I read of this eminent general, pursuant to his orders, arriving with his command at the point of embarkation only to be met as he was about to take ship for France with orders sending him to the far West. We have dire need for such men—dire need for such a soldier as Gen. Wood.

It is with sadness, sir, that I voice my very great regret that those across the sea who bear our flag and fight our battles are, particularly under such circumstances, deprived of the ability and the services of Gen. Leonard Wood.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House insists upon its amendments to the bill (S. 2812) to encourage and promote the mining of coal, phosphate, oil, gas, and sodium on the public domain, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. FERRIS, Mr. TAYLOR of Colorado, Mr. RAKER, Mr. LA FOLLETTE, and Mr. SINNOTT managers at the conference on the part of the House.

The message also announced that the House disagrees to the amendments of the Senate to the bill (H. R. 11185) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1919, and for other purposes, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. DENT, Mr. FIELDS, and Mr. KAHN managers at the conference on the part of the House.